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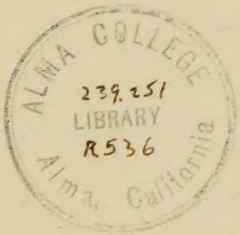
AN EXAMINATION OF EUGENICS

BY

H. ROBBINS



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TO

OUR LADY OF SWORDS

FOREWORD

EUGENICS goes to the roots of life—whether to feed or to poison them is the subject of this little book. Any Catholic examination of it must also go to the roots—to those roots which Catholics hold to be the source and nourishment of civilised living.

The infinite dignity and value of a human soul, the supremacy of the moral law, the conforming of society to the rights and needs of the family—by these roots of Christian civilisation must eugenics be judged. No shallower analysis will serve.

It is difficult, under the dark modern complexities, to keep track of them in the murk of detail which confronts us, and the dignity of man has perhaps suffered as much from its friends as from its enemies.

But there is something which forces us to lift the blanketing detail and take our bearings. It is the impact of a new principle. Such a principle is upon us, and its name is eugenics. We shall do well to judge it by its peers.

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CHAPTER I

THE NAME AND THE THING

THERE are rare and obscure references in old writing which have affinities with the eugenic principle. They need not detain us. Eugenics, as a thesis maintaining heredity to be the primary source of social well-being or deterioration, began with Sir Francis Galton.

Galton coined the word in 1883, to express the new theory, in his book *Human Faculty*. It means "good in stock, hereditarily endowed with noble qualities. . . . We greatly want a brief word to express the science of improving stock, which is by no means confined to judicious mating, but which takes cognisance of all influences that tend in however remote a degree to give to the more suitable races or strains of blood a better chance of prevailing speedily over the less suitable than they otherwise would have had." (Everyman edition, p. 17.)

Science is systematised knowledge, and it is remarkable that Galton and his successors failed to note that improving stock is not a science but an art. The misnaming has not been unfortunate for eugenics, since it has given to theory and policy the prestige of a

nobler word, but it has been a source of great confusion to critical observers.

The present writer, among others, endeavoured for many years to preserve a distinction by confining use of the word "eugenics" to that department of biology which seeks to collect data on human heredity, and by attaching to eugenist theory and policy the term "eugenism," but biologists do not use the word to describe their science, and eugenists ignore and disavow the distinction, applying the word "eugenics" indifferently to the collection of facts, to their theories, and to their practical policies. *Volenti non fit injuria:* eugenics is the collection of facts on human heredity, allied always with the theories advocating and policies based on the manipulation of inborn qualities.

In the passage to which his definition is a footnote, Galton said, "I do not propose to enter further into the anthropometric differences of race, for the subject is a very large one, and this book does not profess to go into detail. Its intention is to touch on various topics more or less connected with that of the cultivation of race, or, as we might call it, with 'eugenic' questions." (p. 17.)

This is the first reference to the word in the book, Galton having earlier discussed miscellaneous questions, including the harmfulness of urbanisation. This postponement of the word, together with the wording of the definition itself, has a significance which several Catholic writers appear to have over-

looked. It seems that Galton does not hold environmental factors to be "eugenic" in themselves, but only in so far as they may serve or hinder the development of selected superior stocks.

It is further to be noted in passing that in the introduction Galton bases himself on evolution. "My general object has been to take note of the varied hereditary faculties of different men . . . to learn how far history may have shown the practicability of supplanting inefficient human stock by better strains . . . thus exerting ourselves to further the ends of evolution. . . ." (p. 1 and *passim*.)

Galton is extraordinarily allusive and fertile in his development of the thesis; on the point of positive proposals he is allusive but reticent. "I have not spoken of the repression of the rest, believing that it would ensue indirectly as a matter of course. . . . It would be easy to add to the number of possible agencies by which the evolution of a higher humanity might be furthered, but it is premature to do so until the importance of attending to the improvement of our race shall have been so well established in the popular mind that a discussion of them would be likely to receive serious consideration." (pp. 219–220.)

Galton founded, in 1908, a research laboratory, out of which grew the Eugenics Education Society (now the Eugenics Society) of which he was the first President. It

has developed logically. The most recent authoritative statement of its policy, the *Outline of a Practical Eugenic Policy*, says: "The scientific basis of eugenics is that the offspring of persons above or below the average in any natural quality will probably be respectively above or below that average in regard to this same quality. The main methods of improving the inherent qualities of the race consequently are (1) to multiply the offspring of such stocks as are better endowed than the average; (2) to diminish the size of families of inferior stocks. Hence to insure racial progress it is urgently necessary to advocate a speedy realisation of the following reforms. . . . Definitely defective types. Prevention of reproduction either by (A) Segregation . . . or (B) Sterilisation."[1]

There is at the end of this four-page leaflet, a short paragraph on "Importance of environment." "If Eugenic Societies do not concern themselves with the more immediate benefits to be derived from changes of environment, it is not because their members fail to recognise how much remains to be done in this field. It is only because they hold that their duties in this respect will best be performed by co-operating as individuals with the innumerable existing bodies already striving to improve human surroundings."

[1] Our object being to examine essentials, the aberrations of American eugenics, which has far outstripped its parent, will be referred to only on necessary points of detail.

The characteristic angle of eugenic thought towards the field of ordinary social action could hardly be more neatly or fairly put.

Dr. Edgar Schuster, in an early authoritative popularisation of eugenics, accepts this limitation frankly.

" The methods on which eugenists rely aim at influencing the inborn nature of men rather than improving the external conditions." (*Eugenics*, 1913, p. 23.)

The Eugenics Society has a " Consultative Council " which " shall consist of eminent persons, whether fellows of the Society or not, who sympathise with the desire to benefit mankind by the utilization of the knowledge of the laws of natural inheritance." The limits of this definition, which have purposely been made as wide as possible to attract persons not necessarily in agreement with the whole policy of the Society, seem to be conclusive on the point.

Major Leonard Darwin, for many years President of the Society, in *The Need for Eugenic Reform*, 1926 (p. 75), has the following: " But for both practical and sentimental reasons I prefer to make the science or practice of eugenics cover no more than that particular science or practice which Sir Francis Galton had in his mind when he coined ' eugenics ' ; and no careful student of his works can doubt that what he was endeavouring to promote under this title was the legitimate utilization of all those forces or methods, whatever they may be,

which have been instrumental in the past in the promotion of evolutionary progress in the animal world. Improvements in pre-natal environment, however strongly they should be advocated, would only be 'eugenic' in the Galtonian meaning of the word if they tended to promote the slow improvement of the inborn qualities of the race; and whether pre-natal care will have such an effect or not is a highly debatable point to which we shall have to return."

If pre-natal enviroment is admitted with such difficulty, the post-natal type will presumably have even stronger reasons urged against it.

It is important to note here the distinction between positive Galtonian eugenics and negative modern eugenics as brought out by the foregoing quotations.

The early eugenists dreamed of "combining their information" and producing at will selected groups of positive qualities in the offspring of selected parents. But whatever inadequacies may be evident to a trained observer in our general knowledge of heredity, those surrounding positive breeding in the numerous, subtle and interlocked human qualities were so patent to all as speedily to become a jest. The American biologist who appeared to conclude that the human race had been expressly created by God to make the eugenic idea impossible, may have had this aspect chiefly in mind, or he may have intended a wider bearing. In any case, the

popular press and " eugenic babies " killed positive eugenics in this sense. It may revive.

Apart from the general favouring of " superior stocks " to counterbalance elimination of inferior ones, eugenics is now almost entirely negative—the problem of preventing the reproduction of the " socially inadequate."

It is clear from the foregoing authoritative statements, which it is unnecessary to multiply, that eugenics propounds the principle, novel to human society, that the maintenance or improvement of the race depends on the artificial control of inborn qualities, which may be fostered *for the favoured stocks* by improvement of social conditions, but without which as a basis social amelioration is useless. It is reasonable to add that such amelioration may be positively harmful, since it delays the " repression " of inferior stocks.[1]

It is also clear that on eugenic principles the execution of eugenic policy depends on action by the State, for on the whole, the

[1] Minor instances abound. In a letter to the Minister of Health in February 1929, covering a Resolution which pressed for a sterilisation enquiry, the National Citizens' Union said: " The need for an enquiry is particularly pressing in England, as, largely owing to State intervention, thousands of diseased and mentally deficient babies are being kept alive." The signatories included Sir Bernard Mallet, President of the Eugenics Society, three other members of its Council, and many prominent eugenists. A Resolution in identical terms was sent officially by the Eugenics Society about the same time.

" unfit " will not voluntarily be susceptible to restrictions based on concern for posterity, otherwise their unfitness would at once become eugenically doubtful. Galton himself seems to have been fully aware of this difficulty. (p. 207 and elsewhere.)

Major Darwin concurs. " The mere fact that a person is willing even to consider the advisability of making personal sacrifices for the sake of posterity proves that he possesses highly valuable moral qualities which should not be stamped out from the race." (op. cit., p. 237.)

There is only one method by which these ends may be achieved—control by the State of the primary human function of procreation.

The development and implications of this principle are discussed in the following pages.

CHAPTER II

OUR KNOWLEDGE OF HEREDITY

SCIENTIFICALLY, eugenics stands or falls by the proof of the proposition that it is possible to forecast with certainty the incidence of hereditary qualities and taints.

Morally and socially, its discussion *begins* when the possibility of such forecasting is placed before us as a scientific fact.

We have therefore to open our examination by endeavouring to ascertain the present extent of our knowledge of heredity, and the probable rate of its progress.

The greatest emphasis must be laid on the radical difference between a statement of apparent hereditary transmission after it has happened, and the ability to *forecast* that transmission with certainty, for the point has been largely obscured in the dust of conflict. It lies at the root of this necessary preliminary to an examination of eugenics. The famous family of Juke was mentioned by Galton in *Human Faculty*. It is fairly safe to say that every subsequent eugenist writer has in turn alluded to it as the classic *pièce justificative*. It may, albeit threadbare, serve as an instance, for it is the biblical genealogy of eugenics.

The first ascertainable Juke was a cheerful, hard-drinking and immoral scoundrel, born about the year 1720. He was a strenuous hunter, and it does not appear that he bore any such obvious marks of "unfitness" as would induce eugenist attentions to-day. Not all of his numerous illegitimate offspring can be traced, possibly because they gave no trouble to the authorities, but his traceable descendants include a high proportion of defective and criminal persons. The sole responsibility of the male progenitor of this family, constantly augmented as it must have been from other stocks, appears probable rather than conclusive, and we need not here discuss by what standards unfitness and criminality have been assessed, but the pedigree as it stands is striking. It has been used largely in support of proposals for restrictive intervention on grounds of the hereditary transmission of defects. Its constant reappearance in eugenic literature is an indication of the paucity of such evidence relatively to the mass, but this also need not be elaborated.

What is perfectly clear is that this pedigree, or a hundred such pedigrees, is in itself of no value whatever as a material justification for intervention. The problem, even on eugenic principles, is not to compile pedigrees of the Juke family, but to say to Master Juke, *before* his escapades begin, "your progeny will be defective and criminal to a point which justifies preventing your reproductive pro-

clivities." For clearly we cannot, on Catholic or any other decent principles, interfere with the domestic arrangements of all amorous and alcoholic gentlemen on the mere grounds of their personal excess. Certain conditions are essential, not as a matter of opinion, but *a priori* in the nature of the case. The first is that where human souls and lives are concerned, probability is not enough. Certainty is necessary to every individual case.

Two stages, each involving a minimum, not merely of investigation but of elapsed time, are essential to the achievement of this certainty.

The first consists of direct observation of a number of human generations on an adequate scale. Records of the past have very doubtful value, since, as so eminent an authority as Sir Hubert Bond has recently pointed out, it is unsound to ascribe hereditary connection solely because a defect or quality is present in two or more members of a family. (*Mott Memorial*, p. 12.)

Sir Frederick Mott himself is even more definite. "These legal administrative conceptions of mental disease must therefore vitiate all statistics in respect to heredity as a cause of mental diseases, because based upon data in which admission to a mental hospital is in many cases the sole evidence." (*Harveian Oration*, 1925, p. 31.)

The emergence of striking cases, from the mere operation in an infinite series of the law

of permutations and combinations, is also to be considered apart from heredity.

The interference with personal convenience which such a series of observations would presumably involve, is a difficulty to be solved by the exponents of the eugenic theory. The coercive power of the State cannot be invoked, since it appears that resistance to such inconvenience, in the absence of any *guarantee* of fruitful results, is not unreasonable.

The present writer does not venture to suggest any minimum number of generations for this process, but it may be presumed that if Mendel took, say, up to ten generations to establish the variations of the pea, and that if American biologists have not considered a hundred generations too much for ascertaining the transmission of physical qualities in the fruit-fly, the necessary number in the case of human beings will not be inconsiderable. They will be indefinitely extended by the exclusion of experiment on men and women. *Eugenics is not yet two generations old.*

Having collected data over this lengthy period, the eugenic observers may proceed to the second stage, that of venturing predictions of the incidence of qualities or defects in individuals, of collating such predictions with actual events, and of repeating these predictions and collations until their correspondence approaches 100 per cent.

This second step is necessary because

biologists appear to be agreed, as Dr. H. S. Jennings expresses it (*Prometheus*, p. 31). "It is a general truth that, even though we have worked out the precise method of inheritance of a character in a given stock, we cannot be certain that this same characteristic will be inherited in that way in another stock."

Eugenics is not yet two generations old. Its enquiries have been relatively fragmentary in bulk and insignificant in duration. None of its statements can yet be regarded as having scientific force at the moment of utterance. Two things are therefore clear, that any eugenic proposals for intervention on the ground of heredity are, and will for a long time remain, a colossal begging of the whole question, and that the investigation of human heredity has at present no place outside the study.

So much appears certain alike in principle and in common sense. Do biologists make any greater claim? It appears from their publicist writing that they do not, and a publicist does not commonly minimise the general conclusions of his subject.

Galton himself was under no delusions on this score (p. 30 and elsewhere). A few more recent pronouncements are desirable.

The incomparable authority of the late Sir Frederick Mott does not lend itself to brief quotation, but the following fragment from his *Harveian Oration* of 1925 (p. 18) is apposite.

"There are too many complicating factors to permit of Mendelian principles, which are so striking in animals where heredity can be controlled, being applied in relation to mental diseases. . . . Moreover, in some of the pedigrees it looked as if there were segregation of unit characters, for I was able to find healthy children who married and had a healthy grown-up progeny in the same co-fraternity with cases of dementia præcox, manic depressive insanity and imbecility."

Dr. J. A. Hadfield, of King's College, says in *Psychology and Morals* (1923), p. 8: "It is generally assumed that the law of heredity operates as decisively in the mental sphere as in the physical. . . . This is an assumption which is now largely discredited. . . . When the experiences of our earliest years are exposed, it is found that many of those symptoms and characteristics, which were previously considered hereditary, are in reality caused by early environmental conditions. Indeed, modern investigation encourages us to believe that few, if any, psycho-neuroses and defects of character are inherited. Those who believe in the hereditary view have yet to prove their case."

Dr. F. A. E. Crew, M.D., D.Sc., Ph.D., of Edinburgh University, says in *Heredity* (1928, p. 73): "It would be impolitic to overemphasise the importance of heredity in

human affairs, for the reason that our knowledge of the mode of inheritance of human characters is still very elementary, and needs much amplification before there can be any application of the laws of heredity to the deliberate improvement of the race."

Dr. Henry Devine, O.B.E., M.D., late Medical Superintendent to Portsmouth Mental Hospital, Examiner in Psychology to the Royal College of Physicians, says in *Recent Advances in Psychiatry* (p. 114):

"Though it is impossible to eliminate the influence of heredity in the causation of the psychoses, it should not occupy so prominent a position as it has done in the past. The belief that heredity was the most prominent factor has had the most unhappy result of stifling investigation, and retarding constructive work. This doctrine was more or less fatalistic and simply served as a cloak to hide our ignorance of other factors. Whatever rôle heredity may be found finally to occupy in the production of a psychosis, it certainly does not concern us now, and the discussion of this question is purely academic. It did not prevent spontaneous recovery of the individual from a psychosis in the past, and as far as we know, has no bearing on the prognosis in the present. It is certainly a factor which cannot be influenced by discussion or treatment; it is a fixed quantity in the equation, and other factors which can be

successfully attacked offer a more fertile field for endeavour."

Dr. H. S. Jennings, a distinguished American biologist, is also very explicit, and may be quoted at greater length.

(*Prometheus*): "It is to this doctrine [of heredity] that the prevailing ideas as to the relation of heredity and environment, as to the relative powerlessness of environment, are due. But it has turned out to be a completely mistaken one. This fact has not come to general consciousness; the doctrine continues to be a source of mystification and error. Its complete disappearance would mean a very great advance in the understanding of life. (pp. 23–4.)

"This doctrine of the all-might of inheritance is still proclaimed by the popularizers of biological science. But . . . advance in the knowledge of genetics has demonstrated its falsity. Its prevalence was an illustration of the adage that a little knowledge is a dangerous thing. (p. 25.)

"It is a commonly received dogma that if the two parents are defective in the same hereditary characteristic, all the offspring will have this defect. But this need not occur. (p. 32.)

"Under diverse conditions the same set of genes will produce very diverse results. It is not true that because an individual inherits the basis for a set of characteristics he must

have those characteristics. In other words, it is not necessary to have a certain characteristic merely because one 'inherits' it. It is not true that what an organism shall become is determined, foreordained, when he gets his supply of chemicals or genes in the germ cells, as the popular writers on eugenics would have us believe. (pp. 47–8.)

"All groups or organisms have some common features, but every group has, too, its distinctive features. When the biologist, from his knowledge of other organisms, is tempted to dogmatise concerning the possibilities of human development, let him first ask himself: How correctly could I predict the behaviour and social organisation of ants from a knowledge of the natural history of the oyster? Men differ from other organisms in these respects certainly as much as the ant does from the oyster: for these distinctive aspects of his biology only the study of man himself is relevant. (p. 74.)

"If, therefore, on a grand scale, the superior parents could be induced to produce more offspring, the inferior ones fewer, this might on the whole raise very slowly the level of human kind. The uncertain element here is the great reservoir of genes held by the undistinguished individuals, constituting nine-tenths or more of humanity. From these come, through kaleidoscopic recombinations of genes, a large proportion of the unusual individuals that occur—both those that are superior and those that are inferior.

If all these unusual individuals, above and below the commonplace, could be cut off as parents, they would be replaced in at least large measure from the unusual progeny of the large commonplace group." (pp. 92–3.)

Even the more sanguine group protects itself with a hedge of qualifications. A Dr. Gates will conclude that " a large amount of information has been gained." We may respectfully protest that a large amount is not large enough. A Professor Pende of Genoa will admit that " We are only on the threshold."[1]

On the other hand, Dr. Joseph Mayer, whose impressive learning has led him (wrongly and unwisely as the present writer thinks) cheerfully to abandon to the eugenists the *ideal* justification of sterilisation, summarises his investigations as follows:

" The science of heredity is, with certain exceptions, certainly not in a position at the present time to make unequivocal diagnoses in individual cases, or definite or even probable prognoses of heredity." (*Gesetzliche Unfruchtbarmachung Geisteskranker*, 1927, p. 440.)

And Professor Leonard Hill, F.R.S., in the *English Review*, September 1926, has committed himself to the following opinion. " In the case of the feeble-minded, bad

[1] Both quoted by Dr. Seymour in *Catholic Gazette*, April 1930.

pre- and post-natal environment and infective diseases, which can be prevented, are powerful causes of their defects." (p. 313.)

It remains to add that what we have been discussing is not the conclusion, but one of the materials for a conclusion, upon eugenic action. That action is to be decided, not on scientific grounds by experts, but on social and moral grounds by citizens and moralists. Science proposes, society disposes.

There are two subsidiary questions arising out of the main question of heredity.

Hereditary transmission may be considered under two aspects. First, in the strict eugenic sense, as possibly a matter of pure heredity irrespective of external conditions; second, as being an hereditary but temporary quality or taint caused by favourable or unfavourable conditions of life, excessive nervous strain, and so on. If a poor mother lives in a vermin-infested slum, in a court never reached by the sun, where rats from the river steal any food left on the table, and everybody in the house is under-nourished, verminous and racked by anxiety and strain,[1] it seems at least possible that these circumstances may react on the parents' powers of healthy reproduction. This would be heredity, but not in the eugenic sense, since by definition a reasonable environment is a complete solution. I shall have occasion to discuss the implications of this point in some

[1] I know of such cases, I suspect many more.

detail later, but as slums, and even more an excessive nervous strain, still afflict large numbers of our population, it seems clear that the ascription of hereditary taint as such cannot be justified, in any case where external conditions are remote from health and justice.

This category, "germ-weakening" as it has been called, strikes at the root of eugenic theory. It has nevertheless been entertained by more than one prominent eugenist.

Professor E. W. MacBride, F.R.S., Vice-President of the Eugenics Society, said at an Educational Conference in London on January 3rd, 1927: "If they could get germ-weakened people into more healthy surroundings where they could be forced to strike out for themselves, there would be a tendency for the germ-weakening to pass off."

Dr. Barnes, Anglican Bishop of Birmingham,[1] delivering the Galton Lecture to the Eugenics Society in 1926, said:

"The industrial revolution had within half a dozen generations removed the greater part of our people from the healthy influence of unspoiled nature. Slum life, drugs, artificial pleasures and excitements might surely produce germ-weakening. But was it

[1] Dr. Barnes is a member of the Consultative Council of the Society.

not possible that the simple life, to use a convenient phrase, would be sufficient to breed, even from the feeble-minded, a mentally healthy stock ? "

The other subsidiary point is the present incompetence of eugenic writers to state the permanence of hereditary taint in itself: whether nature has not her own powers of recuperation or elimination. Sir Frederick Mott has this significant phrase: " We observe that there is thus a tendency to end or mend a degenerate stock." (*Harveian Oration*, 1925, p. 31.)

This was said of dementia præcox, regarded as one of the most undoubtedly hereditary taints. Sir Frederick had worked out with great care a " Law of anticipation or antedating," from which he concluded that inherited defect, by anticipating the age at which radical defect appeared, tended to eliminate itself. " There is an intensification of the mental defect, and if nature were left to itself it would tend spontaneously to eliminate all such weak types, and thus there would be either a complete destruction of an unsound stock or a tendency to regression to the normal after three generations, unless there be consanguinity or introduction of unsound elements by marriage into an unsound stock. It may be presumed that there is a tendency of insane germinal determinants to coalesce, or metaphorically speaking, to crystallize out of an unsound

stock. This affords an explanation, hypothetical though it may be, why only one, or perhaps two—seldom more—children of an insane parent become insane."[1]

But if so, drastic interference with primary rights to secure a temporary and eventually unnecessary end seems to be unwarranted, even on scientific grounds.

In the light of these considerations, it seems that every eugenic proposal begs the question of certitude, and that further discussion of the subject is at present superfluous.

It has been assumed in this chapter that no Catholic, or other believer in human right and dignity, would take into consideration any eugenic proposal not based on certainty.

It is unfortunately the case, however, that whether by inadvertence or otherwise, several Catholic writers have failed to make this clear. What is more to the point is that the general trend of eugenist thought is to act avowedly on probabilities and majorities. This is demonstrated by the use of the word "probably" in the declaration of policy quoted in Chapter I, followed as it is by proposals for segregation and sterilisation.

Dr. Crew, whose opinion on our limited knowledge of heredity was quoted above, has made an astonishing cession of this principle in a Broadcast talk reprinted in

[1] L.C.C. Annual Archives of Neurology, 1911.

The Listener, for July 23rd, 1930. He has avowedly not modified his opinion on the state of our knowledge, but in advocating State action for segregation and sterilisation, he says: "It matters not very much whether 30 per cent or 80 per cent of mental deficiency is due to heredity; if it can be shown that much of it is inherited . . . then surely the State cannot delay action until it is possible to distinguish. . . ."

It will therefore be clear to the reader who has followed this chapter than any eugenic action, in the present state of our knowledge, is action based at best on probability.

Taking the worst possible case, we may fairly say that whatever reservations may be made by eugenic writers, they would to a man cheerfully have sterilised or segregated the inimitable Juke. Yet on their own showing, a clear half of his two thousand descendants must be acquitted of crime or defect.

Posterity is not a subject dealt with in Catholic theology[1] and a man is hanged for his crimes irrespective of his problematical but innocent posterity. But if the question were forced in morals, "May we prevent the existence of a thousand innocent souls, not indirectly by punishing a crime, but directly to forestall the existence of an equal number of defective types," what would be the answer?

[1] See Chapter V.

It is scarcely a matter for doubt, but fortunately, as will transpire, the question does not arise. It is answered by anticipation in the body of Catholic principle by which we shall judge the case.

CHAPTER III

MENTAL DEFICIENCY

I

It is impracticable, within the narrow limits of this book, to survey all the ground on which eugenics seeks to operate. We cannot, for instance, discuss the issues, at once complicated and simple, of insanity,[1] nor can we pursue American Eugenics into those developments which would regard "chronic paupers" and the hereditarily deaf as matter for sterilisation. But Mental Deficiency raises, in an acute form and on an extensive scale, all the points which we have to consider. We shall therefore make it the main material of our examination.

Mental Deficiency, as a problem said to menace the welfare of the State, is of purely modern origin. The charity of our Christian past, and the elasticity of the social structure, absorbed without apparent difficulty any defectives who could not be cared for by their families. It is, indeed, a problem largely coeval and co-extensive with Industrialism,

[1] But see Mr. Chesterton's brilliant and conclusive analysis in *Eugenics and Other Evils*, Chapter IV.

a fact the significance of which has somehow escaped general notice. It is a " problem " in England, U.S.A., Germany, Belgium, and to a more limited extent in Northern France. These are the chief industrial areas of the world.

This concentration of the problem is said by eugenists to result from a better appreciation of the facts, the action of medical knowledge in reducing mortality (especially *infant* mortality), and various forms of social welfare, in preserving weak and defective lives which would otherwise have ceased in infancy. This frank acceptance of the position that an abandonment of natural selection and the survival of the fittest has produced the " problem," has obtained wide support, even from some Catholic writers on the subject.

Alternative or additional reasons for its emergence, not so frequently discussed, are a striking inelasticity in the social structure, and the novel and persistent strains imposed by urban life. A fourth consideration, partly included in that of inelasticity, is the question of how far " Mental Deficiency " is conventional rather than real. All these points, as they emerge in our own country, are matter for discussion, although they overlap in a way which makes separate treatment difficult.

It is difficult to describe, and almost impossible to exaggerate, the nightmare horrors of the birth and adolescence of

Industrialism. They will not be detailed here; they must be indicated.

Forced from the immemorial countrysides by the oppression and rapacity of the "landed interest," a whole nation—that one of the "Two Nations" so moderately described in Disraeli's *Sybil*—became herded together in fetid towns, innocent of air and sanitation, but innocent of nothing else. Everything reeked—factories, hovels and alleys—reeked indeed of the pit. A whole generation, that of the children who manned the factories, was cankered before it grew up. No English suffering seemed enough to excite the pity of their rulers. The proposals to prohibit the use of wretched children as chimney sweeps (a product of the eighteenth century, but labelled medieval, like so many other oppressions of this period) were repeatedly rejected by Parliament. That egregious Wilberforce who freed the slaves, spent much of his Parliamentary career enslaving the free.

"During the agitation over the Reform Bill," write the Hammonds, "Sadler was President of a Select Committee of the House of Commons, appointed to examine into Factory children's labour. Before this Committee there files a long procession of workers, men and women, girls and boys. Stunted, diseased, deformed, degraded, each with the tale of his wronged life, they pass across the stage, a living picture of man's cruelty to man, a pitiless indictment of those rulers who in their days of unabated power

had abandoned the weak to the rapacity of the strong."[1]

The most poignant and intolerable of these wrongs had been remedied by the middle of the nineteenth century. The extreme poverty, and the unhealthy and insanitary conditions, of the working classes, lasted in an acute form for at least another generation. Any man with a memory of forty years should be able to remember them. Death-rates were appalling, but the population, in accordance with the well-known association of prolificacy with a declining standard of life and responsibility, rose enormously. If a historian took, century by century, the history of Europe, he would probably find no period which equalled 1780–1880 as an example of the severest " natural selection." He would have even greater difficulty in finding a century whose population was less in contact with the elements of physical life —food, air and sunshine. It appears therefore that we have a double process at work, one of the severest elimination of the weak, the other an environment pressing heavily on the strong survivors. It may be added that the period was marked also by an unprecedented divorce of the working classes from reserve resources. Men had at best a bare, more often an insufficient subsistence wage. They had no property, either in land

[1] *The Town Labourer*, p. 171. See also *The Village Labourer* for the facts of rural depopulation which made Industrialism possible.

or things, from which to meet emergencies or adversity. The modern palliatives, apart from the hated workhouse, had not emerged. The industrial strains have become more subtle. They have not ceased.

It is, nevertheless, precisely at the end of this period of death for the weak and slums for the strong—a period at least three generations long—that there emerged the "problem" of mental defect. The first appreciable legislation was to establish special schools for the mentally and physically afflicted in 1899.

It is important to note the conjunction of forces. The latter half of the nineteenth century was marked by a growing uneasiness of mind on the part of the governing and employing classes. Toynbee Hall, established as a slum settlement in 1875, may serve as a symptom of the sincerer side of this uneasiness. The Wilberforce type of mind seemed to be dying. The restoration of sanity and dignity in our social relations seemed to be imminent.

But Galton began his systematic campaign in favour of the supremacy of heredity in 1883. Its success was immediate and striking. Whatever motives may have come to its support, it is beyond question that the eugenic theory lifted a great and growing burden from the conscience of governing England. If the welter of Victorian Industrialism was not responsible for the degradation, including the mental degradation, of

many of the English, here was at once a relief, and a short and cheap cut to improvement. Society turned in great numbers and "blamed it on to the dog." It is not surprising that our treatment of mental deficiency has from the start been hag-ridden by the notion of heredity.

II

The Mental Deficiency Act was passed in 1913. It provided for the retention in institutions of "certified" defectives and for special schools. It propounded definitions of four grades of mental deficiency, two of which were novel.

DEFINITIONS

(*a*) Idiots; that is to say, persons so deeply defective in mind from birth or from an early age as to be unable to guard themselves against common physical dangers;

(*b*) Imbeciles; that is to say, persons in whose case there exists from birth or from an early age mental defectiveness not amounting to idiocy, yet so pronounced that they are incapable of managing themselves or their affairs, or, in the case of children, of being taught to do so;

(*c*) Feeble-minded persons; that is to say, persons in whose case there exists from

birth or from an early age mental defectiveness not amounting to imbecility, yet so pronounced that they require care, supervision, and control for their own protection or for the protection of others, or, in the case of children, that they by reason of such defectiveness appear to be permanently incapable of receiving proper benefit from the instruction in ordinary schools ;

(*d*) Moral imbeciles ; that is to say, persons who from an early age display some permanent mental defect coupled with strong vicious or criminal propensities on which punishment has had little or no deterrent effect.

The attempts of critics, including some Catholics, to secure more precise definitions, unhappily failed. They deserve honour, if only for their appreciation of the far-reaching consequences of vagueness in a primary document.

The first two definitions, although inadequately worded, correspond roughly to the usual concepts of Idiot and Imbecile. Those for the Feeble-minded and Moral Imbeciles (later known generally as " High-grade " defectives) are intolerably loose, and therefore liable to abuse.

We can simplify the discussion here by pointing out that true Idiots and Imbeciles present only a straightforward problem. In the present absence of family resources,

most of them, if of poor parentage, must be cared for in institutions, until such time as a greater measure of social justice shall enable parents more generally to exercise that personal tenderness which they feel towards their afflicted offspring. And as by definition they cannot understand the nature of marriage, they suffer no injustice in being deprived of it.

The vague definitions of high-grade defect had the inevitable result of throwing the onus of decision into the hands of a new class of experts. A lengthy and complicated series of mental tests, or "Measurements of intelligence,"—the Binet-Simon tests and their numerous variants—were brought into use. The constant (and natural) work of elaboration and finesse following the introduction of this system is, in my judgement, mainly responsible for the alleged increase in mental deficiency.

Clearly, in a sense altogether beyond that of the case of lunacy, the function of the certifying magistrate became purely nominal. The fact is not susceptible of direct proof, but a gentleman having a very lengthy and systematic acquaintance with Police Courts in more than one large centre, has assured the writer that over a series of years he met with no case where a magistrate challenged or even examined the expert official witness. Such witnesses are understood to have a definite policy of declining cross-examination on their intricate processes.

For obvious reasons, few but poor children are put forward as candidates for certification. This fact reduces the nominal legal safeguards to the discretion of the magistrate. The usual reservoirs of recruitment are backward children in Elementary schools, young persons coming before the magistrate for minor offences, the children of paupers, and unfortunate girls who give birth to an illegitimate child in a Poor Law Institution. The Act provides explicitly for the last category. These reservoirs were somewhat enlarged by the Mental Deficiency Act of 1927, which expunged from the definitions the words " from birth or from an early age " wherever they occurred. The ostensible reason, not embodied in the Act, was the after-effects of sleepy sickness.[1]

The point reached by the elaboration and finesse referred to above may be judged from a recent statement by Dr. W. A. Potts, the official expert for Birmingham. " The public often fail to realise that many of the feeble-minded appear quite ordinary, not only to ordinary people, but also to experts, until very careful examination is made." (*Birmingham Post*, October 24th, 1929.) That is, no doubt, until the Tests have been applied. We are faced with the interesting legal position that an expert can regard a

[1] We have the authority of the *Wood Report* (Part I, p. 47) for saying that only a small proportion of cases ascertained are due to the applications of parents.

child as "ordinary" until he has worked through a series of questions and answers which have, so far as I am aware, no legal existence, and that he is thereupon prepared to revise his original judgement with possible life-long segregation for the victim as a result.

It would be wearisome and beyond the scope of this book to discuss these Tests in detail. They have been criticised from many angles, and many stories are current of the failure of experts to answer their own questions, and of the deplorably low intelligence quotients achieved by distinguished men who have worked through them. It would, of course, be unjust to the experts to suggest that they do not reflect some kind of defect or peculiarity, but it seems clear, in spite of denials, that they are notably favourable to the type of mind which conforms readily to the standards of elementary education. "He shall have a fair trial, but I, Pierre de l'Hôpital, shall try him." The types of intelligence which do not so conform are so much within common knowledge as to need no elaboration here, but it may be mentioned that in the Tests used in the enquiry under the *Wood Report*, which is discussed later, no less than 47 of the 112 questions have a distinct arithmetical bias. "Arithmetic is not a test of intelligence." The figure of merit dividing normality from deficiency is arbitrarily fixed at 70 per cent. There appears to be no philosophic basis for

this, since no 112 questions are exhaustive of an intelligence which functions at all.

They are vitiated by the fact that they cannot assume replies corresponding exactly to the intelligence of the subject. Nerves, ill-health, or even sullenness in the presence of a purposeless task, may affect the answers. They cannot allow for the late development of a Clive or a Scott, and they cannot allow for the peculiarities or inadequacies of the expert's presentment.[1]

The legal processes are astonishingly rigid. Apparent mistakes which cannot be, or at least are not remedied, are relatively frequent. One or two recent examples may be given. Some poor parents were repeatedly summoned, fined and threatened with imprisonment, for having " abducted " and sent to a secret refuge a daughter " on licence " from a distant M.D. Institution. She had been successfully concealed from the authorities for over twelve months. It seems clear that a girl who could live in a strange neighbourhood for this period, without exciting remark or report, was not radically defective. A boy left a special school for mental defectives at the age of fourteen, and himself obtained

[1] Mgr. Newsome of Besford Court has been insistent on this distinction. He says in his Annual Report for 1926 (page 48): " There are many children who, by reason of their inability to progress at school if taught by ordinary methods, fall within the meaning of the legal definition of mental deficiency, and yet they are not mentally deficient at all in the medical sense."

employment with an engineering firm. His father was summoned for not keeping him at the school until he was sixteen. The boy's employers went to the trouble of attending court and representing that they found him bright and trustworthy and wished to keep him. The boy was returned to the school under the mental stigma. A young woman "on licence" from a home for mentally defectives met, and married after six months, a young man. The following day he appeared before a magistrate and stated that his bride had been forcibly taken back to the Home. It seems clear that a young woman who could so win the affection of a man approximated to the normal. The magistrate could suggest no remedy for the appalling situation of either party.

III

Apart from the effect of its vagueness, it is not certain that the Mental Deficiency Act had any overt hereditary prepossessions, although the section providing for the certification of girls having illegitimate children in Poor Law Institutions may be read in this way. The statutory experience of seventeen years cannot have enabled conclusions on this point to be drawn, but a great part of the executive and administrative opinion concerned has moved unmistakably in the direction of attempting to use the Acts for the prevention of procreation by the "unfit." The wealth, insistence and numbers

of the eugenist movement have not been without their influence on this development. Many of the technical and other high officials concerned are members of the Eugenics Society.

The Board of Control has for some years been advocating the prevention of the marriage of insane and mentally defective persons. The *Wood Report* endorses this view. Certain classes of defectives, it urges, may be allowed at large in society, or sent from colonies to work in factories, if "legal provision is made with regard to the prevention of the marriage of such defectives." (Part III, p. 55.)

It may be recalled that the famous "Memorandum" on Preventive Medicine of the Chief Medical Officer to the Board of Education and the Ministry of Health, published as a Command Paper in 1919, placed in the forefront of its "National Policy" the words "Eugenics and the Principles of Sound Breeding." (p. 99.)

It is no part of the case presented in this little book to deny that there is a great deal of suffering which demands a measure of palliative State action pending re-orientation of the national outlook. Still less does the writer wish to deny the true vocational charity exercised by many of those who are carrying out the legislative enactments. They are sincere and kindly persons, anxious to do their best for the unfortunate slum children who form the bulk of their recruitment.

I have, on the contrary, been much impressed by the fact that they appear, in all good faith, to regard action under the Acts as an expedient for removing unfortunates from a slum environment. They do the best with the machinery at their command. We must go higher to apportion blame.

But the recent developments of expert opinion suggest that a firm stand is necessary, not against the relief of suffering, but against the further enmeshing of national action in developments unsound in principle. To form an opinion on the proposed direction of that development, we must pause in the discussion, and give some brief consideration to the *Wood Report*, the latest and most authoritative expression of official opinion. In 1924, the Boards of Education and Control appointed a Committee to consider and report upon the problem of Mental Deficiency. Its eleven members were the most distinguished representatives available of official and expert opinion. An investigation of the incidence of Mental Deficiency in six anonymous and selected areas, conducted by a distinguished Doctor on the staff of the Board of Control, was the basis of its findings. It reported in 1929, and the three volumes of its findings received great publicity in the Press. They are of great importance, as affording the most reliable indication of current official mentality on the subject, and the probable direction of proposals for development of State action.

I was associated in the compilation of a critical memorandum[1] on the Report, which was sent to the Minister of Health, and my colleagues have kindly consented to my reproducing salient paragraphs in illustration of the unsound prepossessions and assumptions brought out by the Report. The full text may be consulted in the *Catholic Gazette* for October 1929.

"We have accordingly submitted the Report of the Mental Deficiency Committee to a most careful consideration and analysis, the results of which we append in a memorandum. We find that the evidence therein presented, so far from justifying the loose statements so frequently made of an alarming increase in mental deficiency, rather justifies our original denial of the urgency of the matter. The Investigator and Committee themselves admit that it is very difficult to decide whether there has or has not been an increase in mental deficiency. Any alleged increase may easily be explained by the vagueness of the definitions of mental deficiency, the consequently constantly shifting standard, and the more drastic methods of ascertainment.

"On the other hand, we find in the Report a marked tendency to go beyond the evidence in offering explanations and in making suggestions which show a distinct bias in favour of

[1] By the Birmingham Branch of the Distributist League.

unproved theories of heredity and eugenic measures. There are, in the course of the Report, alternative deductions of at least equal validity which are uniformly ignored or minimised. We discuss these and other points arising out of the statistics more at length in the appended memorandum, but we indicate here two which are very striking.

"The intolerably loose definitions of mental defect are summarised and approved in the phrase 'incapacity for independent social adaptation.' This definition involves a sliding scale of correspondence with environment, however severe that environment may be or become. On these lines a periodical review of the whole population would be essential, and citizens now normal might in a few years be deemed defective under the increasing strain of a more complicated civilisation. Further, the definition ignores the fact that society consists normally not of isolated and unprotected individuals, but of families, and that, apart from poverty, an isolated exposure to environment does not occur.

"Secondly, the alleged excess of mental defect in the investigated Rural Areas, to which the Committee has attached primary importance, is exploited solely as the familiar eugenic theory of inferior rural stocks. We have, however, ascertained from statistics that an important and possibly a complete explanation of this excess is to be found in the differential death-rates of town and

country. The figures are given in the memorandum.

"We cannot but remark that for the Committee to have overlooked this solid fact is a strong indication of eugenic preconceptions. The gratuitous advertisement of the eugenic theory, which appears in Part III, page 82, does nothing to lessen this impression, and we cannot but think that the three members of the Committee who are on the Consultative Council of the Eugenics Society might have pointed out the danger of favourable reference to a theory whose exponents are committed to a decision on the points in dispute."

. . . . .

"In the following pages we analyse and criticise briefly what appear to us to be the most important practical points emerging from the Report.

1. The Representative Character of the Six Investigated Areas

"This cannot be accepted as certain or even probable. The anonymity of the selected areas is unfortunate. The arbitrary selection of subdistricts within those areas is deplorable. The existing official records may well have influenced the mind of the local officials called into consultation, and suggested a choice which would furnish ready results (IV, p. 13). The admission that the outer wards of towns were generally excluded (IV, p. 14), clearly vitiates the general data.

"The good faith of the Investigator is not in question, but any error of judgement in any official concerned may have had important bearings on the final result. The chief sources of information, detailed in IV, p. 29, are strongly suggestive of an unfair excess of enquiry among the poor.

"The statistics said to illustrate the representative nature of these areas do not do so. The Tables in IV, pp. 15–19, suggesting that the mean incidence of the school populations, previous ascertainment of mental deficiency, and rate-aided insane in the six areas correspond with the respective means of England and Wales, involve an obvious statistical pitfall.

"Compensating divergencies within the Tables would in any case give a final approximation to the mean, but all the individual areas, especially as between urban and rural, might be unrepresentative.

. . . . .

"The Rural ascertainment was admittedly more complete (IV, pp. 33 and 70). It may have been exhaustive, since in the country any departure from the normal is common knowledge. This applies throughout the social scale. The Committee does not give due weight to this fact, nor, conversely, to the absence of such knowledge in towns.

"The percentage of children at Private Schools, hardly touched by the enquiry, was 1·25 in Urban and 4 in Rural Areas. If

Secondary Schools (also untouched) are included, the percentages are 5·5 to 10·3. No allowance has been made for this in the discussion, although it emerges in Table 12 (IV, p. 184).

" (We note in passing that the small urban percentages of children at Private and Secondary Schools are indicative of the selection of poorer areas.)

" Tests are discussed elsewhere, but we insist that the difference between urban and rural mentality is one of kind and not merely of degree. The fact that by far the greater portion of the Rural excess is in the Higher Grade, where the Tests play the greatest part, is strongly suggestive of an inapplicable standard. The rural mind has been taught caution in a hard school. No countryman gives his confidence to a stranger, and his children share this distrust. Much more than Urban children, Rural children would be shy, distrustful, inarticulate or sullen, before a stranger who demanded purposeless tasks alien to the realist rural mind. Rural speech, which is considered by townsmen vague if not unintelligent, is really highly allusive. To his fellows the rustic's speech has a precision which escapes a townsman.

. . . . .

" But it is to another point that we wish to draw special attention. Mortality among mental defectives is exceedingly high (Tables 17, IV, pp. 193–4 and III, p. 40), but whereas in the urban areas only 25 per cent

of the adult defectives were aged 40 or over, in the rural districts there were 38 per cent who reached this age. So great a discrepancy is highly significant, and a further examination of the statistics might have disclosed that this is a complete explanation of the alleged higher incidence of rural defect. It was, at least, one of the most impressive facts emerging from the Returns.

"The Investigator and Committee, however, make no attempt to develop the effect of a differential mortality upon the number of defectives ascertained. It is alluded to only in side-issues (IV, p. 57, III, p. 41).

"We have accordingly made an attempt to calculate from the known variations in the death-rates of Urban and Rural areas, what would be the effect of this factor alone on 100 Mental Defectives *born* in each class of area. The actual death-rates of mental defectives are, of course, problematical, but the certain elements in the calculation are :

1. The known variations of death-rates in town and country areas.
2. The Committee's calculations that only 25 per cent of ascertained adult defectives in towns were living at 40 or over.

"The Infant Mortality Rates for the investigated areas (Table 17, IV, p. 53) are roughly those of County Boroughs and Rural Districts, which we have accordingly taken as a basis of comparison.

"The mortality rates for ages up to 5 are

distinguished in the *Registrar General's Statistical Review*, 1927 (Text p. 26).

" They are not so distinguished for subsequent ages, but from the *numbers* of deaths in that publication (Part I, pp. 114–15) we have calculated the *percentage differences* as between County Boroughs and Rural Districts.

" We have now to apply these known differences in such measure as to give an approximation to 25 per cent surviving in the towns at the age of 40. Mortality among defectives is, as we have seen, extremely high. Doubling the known death-rates up to the age of 5, and applying thereafter double the normal death-rates of 12 per thousand, with the known percentage differences for town and country, will give a final approximation to the survival percentages given by the Committee.

" The figures are as follows :—

NUMBERS OF MENTAL DEFECTIVES SURVIVING AT VARIOUS AGES OUT OF 100 BORN IN EACH CLASS OF AREA.

	County Boroughs.		Rural Districts.	
Age.	Mortality Rate per thousand.	Number surviving at end of period.	Mortality Rate per thousand.	Number surviving at end of period.
1	160·0	84·0	130·0	87·0
2	51·22	79·7	29·24	84·5
3–5	14·12	76·3	9·24	82·1
6–10	25·8	66·5	22·2	73·0
11–15	25·8	57·9	22·2	64·9
16–20	25·8	50·4	22·2	57·7
21–25	25·8	43·9	22·2	51·3
26–30	26·2	38·2	21·8	45·7
31–36	26·8	33·1	21·2	40·9
36–40	27·8	28·4	20·2	36·7

"These calculations show, on the basis of known variations in the death-rates alone, a rural excess of 7½ per cent at 5 years, and of 29 per cent at 40 years. These excesses are, of course, of defectives *born*, independently of ascertainment. The actual mortality differences of mental defectives cannot be less, and may be indefinitely more, than the rates for the normal population. It is reasonable to assume that the unfavourable urban environment would, in fact, operate to excess on these weak lives, especially at the earlier periods prior to the possibility of ascertainment. If that be the case, it may well be that more defectives are born in the town than in the country, and that the merciless environment kills them off. The Test cannot be applied to the lower age-groups, on account of variations in age at certification, but it is remarkable that from 60 plus down to 16, the ratios of rural excess drop steadily and consistently (Tables 17 B, p. 192 and S, p. 123).

"We are surprised that the Committee did not see fit to elaborate, with statistics, this vital point, which appears to nullify all its assumptions on the origin of rural defect.

"N.B. We do not claim for this calculation more than approximate accuracy, but the 25 per cent *adult* urban defectives surviving to 40 or over, become only 12½ per cent if children are included in the calculation. We consider that this fact leaves a margin

wide enough to cover any minor factor such as the relative age-group percentages in town and country, which we have not included.

3. The Basis of Investigation and the Findings

" The Committee states (I, p. 81), ' it is of some interest and importance to know that the increase in mental deficiency, if there has been an increase, has been caused not by the deleterious industrial conditions of the large towns, but by selective hereditary features operating in isolated rural areas where the environment is most conducive to the birth and maintenance of a healthy stock.'

" There are similar passages at I, p. 146, III, p. 36 and IV, p. 62. We have already shown that the alleged excess can be reasonably explained by the fact that urban defectives are killed by their environment at a much higher rate, and that, assuming a heavy urban mortality in infancy and childhood prior to certification, the differentiation may even mean a *higher* number of defective *births* in urban areas. We have also emphasised the Committee's admission that the rural enquiry had more complete success. We discuss later our reasons for thinking that in addition to these two damaging facts, the very basis of ascertainment discriminated heavily against a rural mentality.

"It is fair to say, in view of these considerations, that the passage quoted above is conclusive evidence of obsession from the beginning by the notion of *Heredity*, and that the evidence has been articulated in the interests of that theory.

"One highly important point is nowhere referred to by the Investigator or Committee. The common sense of European man has always held that consanguinity in marriage is likely to promote defect in children. While this is not heredity in the eugenic sense, it is an opinion strongly held from observation by our race. Now the depopulation and stagnation of the countrysides during the past three generations has created a position extremely favourable to such things as the marriage of cousins. While we make no assertions in the absence of evidence, it seems highly probable that these circumstances may account for a part of the rural defect. It has nowhere been discussed by the Committee.

"In Part IV, pp. 133–6, the Investigator discusses mental deficiency in one rural area, and concludes that it is to a great extent a family problem. Nine hundred and sixty-six defectives of all grades were ascertained in this area.

"Family connections, mostly of two persons only, were discovered in the case of 136 families, involving 384 defectives *and insane*. The introduction of insanity vitiates the comparison to an unknown extent, as

does the fact that this figure of 384 included (from hearsay) dead or other defectives not included in the total of 966.

" It is clear that there were *at least* 582 families in which only one case of defect, past or present, could be alleged.

. . . . .

" It appears to be evidence of preconception when less than one-fifth of familial connection can be described as constituting mental defect ' largely a family problem.'

" In view of the theory adopted by the Committee (I, p. 11) that mental deficiency forms a continuous chain of defect, ranging from deep to mild without any definite breaks, it is at least surprising that whereas Idiocy and Imbecility are avowedly found in all grades of society, feeble-mindedness has largely been ascertained only among the poor. These facts would suggest to a scientific enquirer that the cause may be environmental, or that the incidence and basis of ascertainment may be unsound.

" The Committee admits (III, p. 85) that what is called ' secondary amentia ' *is*, and that ' primary amentia ' *may be*, caused by environment, but the point is not exploited. It does not seem, however, that apart from evidence of disease, the two types can in practice be distinguished.

" We think that the strain of malnutrition,

insecurity and bad housing has been insufficiently considered as a predisposing condition for mental deficiency in parents and children. This applies in a measure to farm-labourers as well as to slum-dwellers. Such an environment will have a notable influence on the reaction of children to tuition during a few brief hours of the day. The point needs no elaboration, but we hold that it is more reasonable to regard it as a cause than as an effect. The slum community transferred after the war to a Municipal Estate, with whom the Committee (I, p. 83) is so disappointed, is not yet a case in point. A community condemned for several generations to slum-life cannot be expected to recover health, self-respect and strong germplasm in something under five years.

" We consider that the whole basis of the Binet-Simon Tests (and their numerous illuminating modifications) is unsound and mischievous. Elementary education, on which, despite denials, the Tests are largely based, and whose atmosphere they borrow, is not absolute. It is a relative thing which suits some types of mind better than others which are not therefore inferior.

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" Late development, notoriously present in many great men, is not provided against by this system, and the element of the varying effect of a stranger on different

children cannot be allowed for. We note in this connection that Head Teachers well acquainted with the children gave an average retardation of 2·7 years, where the Investigator gave 5 years (IV, p. 103). We should have thought it most unlikely that teachers would be mistaken to the extent of 2·3 school years, but the Investigator does not appear to entertain the idea of any defect in his standards. It is also pertinent to point out that any assessment of retardation should logically involve a Test for Teachers. It was, of course, not attempted. The Com mittee is prepared to abandon, on a large scale, the certification of feeble-minded children (with a parallel recommendation for adults). If this is an admission that both feeble-mindedness and Elementary Education are conventional rather than real, we welcome it. But the association of the children with a new class and stigma termed 'retarded' (and the advocacy of *detectives* to ascertain cases not otherwise brought under official notice), make us suspect that the change is one of name rather than of classification.

"We point out in conclusion that mischievous as these Tests are for all children, they discriminate most unfairly against rural children. Monetary Tests, for example, are obviously unfair to children who seldom see a shop or handle money. We draw special attention to the fact that the Investigator finally suggests the faulty nature of the Tests as applied to rural children (IV, p. 101).

"We note with regret that a system of supervision, largely amateur and necessarily relatively unskilled, is advocated instead of reliance on parental care (III, pp. 17, 21–28, 71). No evidence is offered of the normal superiority of the official.

"The evident anxiety to prevent the marriage of a high-grade defective (III, p. 27) cannot be justified on the present evidence, and appears to indicate eugenist prepossessions which the facts at present do not endorse. The suggestion that but for the prevailing unemployment, defectives from Colonies might be sent to factories (III, p. 26) is a singular commentary on the basis of certification.

"We emphasise that notwithstanding the large exclusion of defectives of well-to-do families, 58 per cent of mental defectives are wholly or partially self-supporting (III, p. 41). Two-fifths of the adult defectives, and (apart from Special Schools) six-sevenths of the defective children, receive no assistance from Public or Charitable funds (Table 23, pp. 203–4)."

. . . . .

IV

We are now in a position to assess the social and moral issues arising from the treatment of Mental Deficiency in this country.

A. The recognition of society's inability to absorb its defectives without State action dates from the very end of a period which killed the weak and degraded the strong. The features of that period have not disappeared. Poverty, overcrowding, and a devitalised dietary still afflict our great towns, and to a smaller extent our rural areas. The grosser and more directly lethal features of earlier Industrialism have been subtilised. They have not disappeared. Absence of air and leisure have been replaced by stuffy and uneasy daily journeys in public vehicles. The noisome alley is replaced by the noisy street, with its crashing motor-lorry. The factory is still full of machinery. It is now guarded, but it is faster, noisier, and more obsessing. The jacks-in-office of the Truck Shop are replaced by the invisible jacks-in-office of the law, which presses daily and heavily on the lives of the poor. The mother who wept to see her children go daily to the devouring Mill, now weeps to see them go to distant schools, through traffic as deadly as a permanent South African War. She sees them play in the shadow of death. The Cinema piles the Pelion of its sensation and screams on the Ossa of lives too hysterical to hear the normal voice of pleasure. Insecurity remains. The families without property or homes still cry to Heaven for vengeance.

The causes of Mental Deficiency are scientifically unknown, but historically, the

conjunction of its emergence with Industrialism is too pointed and striking to be ignored. On the eugenic theory that weak and tainted stocks have only been kept from overrunning society in the past by "natural selection," it is not unreasonable to assume that every such tainted stock should have been eliminated by the enormous strains of the first three generations of Industrialism. And in view of the present state of our knowledge, it is difficult to justify or excuse a refusal to resolve those strains, as a first step towards remedying the deficiency which nevertheless emerged.

When a sensitive nature broke down under the frightful strains of the War, we did not blame the sensitive or fragile nature, we blamed the "breaking strain." The fact that some natures, in war and in Industrialism, break down more readily than others, is not a declaration of their inferiority. It may be no more than that Mars or Mammon has made the pace too hot. The remedy for War is Peace. It is conceivable that the remedy for Industrialism is also—Peace.

One thing at least is certain. By every rule of logic and justice, the removal of the strains of Industrialism is the first essential. Until they have been removed without success, no man is in a position to deny that such removal would be a complete solution of the breakdown of which Mental Deficiency is a symptom. We are bound by the elements of our reason to try proximate and obvious

remedies before we try those which are problematical and remote.[1]

B. The Mental Deficiency Acts have introduced into English law a principle which is entirely new and entirely dangerous. All men are equal before the law, and are normally free of its operation. The law intervenes when it finds in some citizen a difference of *kind* which demands its interference. The difference between innocence and guilt is one of kind and not of degree. One man does not obey the law 2 per cent better than another. He keeps the law or breaks it. The difference between sanity and lunacy is also one of kind. The lunatic is not a man who looks at things a little less reasonably than his fellows. He is a man who says he is Almighty God, or made of glass, or appointed to kill all men with whiskers. He is different in kind. But the Mental Deficiency Acts have imposed a new

[1] A feature of recent eugenist tactics has been an insistent demand for a Royal Commission to enquire into the causes of Mental Deficiency. This demand has usually a tendencious wording. It has been unwarily taken up in many non-eugenist quarters. The demand should, in present circumstances, be resisted for two reasons. Firstly because practically the whole of the organised, articulate and endowed opinion of the country is predisposed towards the hereditary assumption, and the contrary view would have almost insuperable difficulty in obtaining a proper hearing. Secondly because a Royal Commission is not a substitute for elapsed time, and to invite its members so to act is to invite them to prostitute knowledge to expediency.

distinction between man and man, a distinction of *degree*. They act, not on what a man does or even says, but on what he *is*. It has already been explained that the case of true idiots and imbeciles is straightforward. They are put in institutions by way of extension of the Poor Laws, because in the present social state they cannot be cherished by their families, and being without intellect, cannot maintain themselves.

But absence of intellect is not alleged in the case of those high-grade defectives who form the bulk of the " problem " and the controversy. They are largely able to make, or to contribute to, their own living, and we have seen that even in the eyes of experts they are not readily distinguishable from other citizens. They are certified and segregated because, on standards not free from dispute, they are less " socially adequate " than their fellows.

Dr. A. F. Tredgold, possibly the most distinguished of the experts, has stated the position unequivocally.

" So long as mental deficiency was regarded as connoting a pronounced and obvious defect of understanding, such as that which characterises idiots and imbeciles, it naturally stood in marked contrast to the normal and to any other abnormal mental condition.

" For some years past, however, it has been realised that a defect of mind sufficient to necessitate care, supervision and control may

exist without any gross and obvious want of understanding, and this condition is now recognised by the Mental Deficiency Act under the term feeble-mindedness.

"This wider concept of mental deficiency is of extreme importance, since it removes amentia from the isolated position in which it formerly stood and links it up with the normal and with other abnormal states.

"The modern concept of mental deficiency, stated briefly, is that of an incapacity for independent social adaptation . . . there is often no marked illiteracy. Such persons not infrequently pass through the ordinary schools, they possess a fair range of general information, and they can perform remunerative work. They fail and require supervision and control because they are defective in certain qualities of mind which are requisite for the management of themselves and their affairs with reasonable prudence, and for the control, co-ordination, and adaptation of their conduct to the practical requirements of life." (*Mott Memorial*, pp. 108–9.)

That is, humanity forms a continuous chain of intelligence and character, and at some arbitrary point, based on an expert opinion, we cut it. It would be as easy as it is unnecessary to enlarge on the prospects opened up by this principle, embodied as it now is in the law of England. There is not a man living who has not, once or often, failed to manage "himself and his affairs with

reasonable prudence." They have been saved by their families, pastors and friends, who do not appear to exist in the expert world, in which there is a state of complete deliquescence into a mass of individuals. If this world is unreal, we should oppose the assumption that it corresponds to reality. If it *has* any reality, we are bound by Catholic principles to react more vehemently still. We cannot entertain a community without families, in the fullest meaning of the term. But meanwhile, where is this process to stop? Having admitted the principle of degree, what guarantee is there that its incidence will not be shifted? The *Eugenics Review* is already talking pleasantly of "the dull normals and the definitely unskilled," and the *Wood Report* of the "subnormal tenth" of the population. Are they to be dealt with next, under stress of a more severe environment? And after them, are persons with "socially inadequate" ideas, such as Catholics notoriously are, to be put safely below the eugenic salt?

The position has a certain analogy with the aberrations of modern Divorce Laws. We say the dignity of marriage is impugned if divorce be allowed for any reason. It is expedient that some should suffer for the good of the Sacrament. The State admits divorce for adultery. There is then no logical reason why it should not be admitted, as in the United States, for desertion, insanity, illness, or for no discernible reason at all.

When the State sows the wind of principle, it is very apt to reap the whirlwind of interest.

It would be idle to deny that administrators to-day are faced with a difficult situation. There is all the more need of right principle. The social safeguards suffer deadly weakness. The family is unable, from poverty and atrophy, to exercise its functions. The automatic protection afforded to a defective by a settled and intimate community has disappeared. What Mr. Chesterton has called the "nomadic" quality of our urban populations has undone the kindly work of centuries. Above all, the magnificent tenacity of the poor seems to be breaking down. "A remedy must be found, and found quickly." Is it to be a continued line of least resistance, or a reaction into civilised law?

"Public assistance tends to increase the rate of multiplication of nearly all of those who are thus benefited, and thus to produce harmful results on all future generations. By promoting racial deterioration, philanthropy in fact perpetuates in the future the very evils which it alleviates to-day." (Major Darwin, op. cit., p. 433.) There is a sense in which this is true, but so far as my reading goes, no eugenist abstracts from the present system and considers the effect of social justice in place of social "charity."

C. We have to admit and welcome certain palliatives pending a fuller restoration of social justice, but we must remind ourselves

that it is of the essence of a true palliative that it does not contradict or exclude the ultimate remedy. Thus a temporary separation may be palliative of an unhappy marriage. It does not exclude, but possibly helps, the resumption of normal relations. Divorce is neither palliative nor remedial, for it excludes the true nature of the case. Chemicals are a palliative for a shortage of organic manure. The only ultimate remedy is more organic manure, for chemicals in the long run, destroy the texture of the soil.

It is a mark of our treatment of mental deficiency that it has been left in the hands of experts, and it is a mark of the expert that he becomes immersed in the technique of his craft. The cobbler says "there's nothing like leather." The eugenic theory and practice have a close and obvious affinity for the work of the mental deficiency expert. He has no similar impulse or capacity for considering the wider social implications of his problem. That is work for the citizen and the statesman. It is natural, therefore, that the expert publicists, without even an adequate primary document to guide them, have taken an extraordinarily narrow and technical view of their subject. Nothing is more striking, in the monumental *Wood Report*, than the failure to envisage the traditional framework of society. The family, the social and moral effects of property, the equality of citizens before the law, the power

of religion, are as though they did not exist.[1] It is not that they do not discuss them, for that might be due to a prudent modesty of function. There is a complete absence of the wider social concepts from the mental texture of their Report. We have, in any case, been given no supplementary statement of this kind from other quarters. It is small wonder that the ordinary citizen, and even some social writers, have a very limited grasp of the nature and extent of the social principles involved.

We have accordingly to choose between an increasing reliance on expert technique, with a weakening grasp on primary social principles, and an acceptance of some of the palliatives proposed, on the strict condition of an ever-increasing attention to the major social issues.

Accordingly, we can welcome differentiated education for certain types of mind, with the proviso that such differentiation should not carry with it the stigma of inferiority. That is merely an admission that current standards of elementary education do not serve all types of mind.

We can agree that in cases of hardship, proved in open court, the protection of the State should be given to definitely defective

[1] There is one reference to religion in the whole Report, a passing and rather patronising statement that a religious atmosphere has a good effect on mentally defective girls. (Part III, p. 69.)

persons incapable of earning their living, where their parents or friends are unable from poverty, or otherwise unwilling, to provide for their care. That is only an extension of the Poor Law, that disgraceful necessity of our present social system.

But apart from these our reservations must be large. Men and women, girls and boys, must be segregated, not for what they are, but for what they do, tested with full legal process at the bar of Common Law. We could all point to normal acquaintances of such quality, say an ungovernable temper, that it is highly probable they will sooner or later be, or deserve to be, before the Courts for a crime of violence. We do not entertain incarcerating them on that contingency, although it might save some innocent person a beating. Our principles of law forbid it. They should also forbid it in the case of "mental defectives." We must be prepared to face hard cases if only because to yield to them is to make bad laws. Even the modern State cannot have its cake and eat it. For it has not been appreciated that to divide equal man by an arbitrary standard of degree is to revert to the basis of Slavery—the man, and the something less than man.

It is worth a fight, and it is worth the odium of some hard cases, to forestall that consummation of the Rule of the Expert.

Note

A little book entitled *Catholics and the Public Medical Services*, by Dr. Letitia Fairfield, was published by the Catholic Social Guild after the completion of this MS. Dr. Fairfield's book is mainly confined to "tactical" considerations in presence of the actual position in England, and although, in my judgement, it is too "Fabian" in outlook, it is a pleasure to applaud Dr. Fairfield for her recognition of the great principles which must not be infringed.

"Destruction of human liberty or of the just rights of parenthood in the name of Hygiene is not possible to those who believe that spiritual values are supreme, and that the family is the divinely ordained basis of human society." (p. 8.)

If a word of criticism may be permitted, it is that she seems to overlook the inevitable atrophy which must overtake the family if we accept the implications of "the gradual accretion of statutory duties placed on the shoulders of the Public Health Medical Officer, which have at last placed him in the position of supervising the citizen for his own good from the cradle to the grave." (p. 5.)

Reaction from this position, or from the system which makes it necessary, seems to be indicated on every Catholic ground.

Dr. Fairfield's reason why Catholics should

participate in Public Health Work, that they are thereby enabled to counteract non-Catholic heresies (p. 19 and elsewhere) may also be criticised on the ground that executives in Public Health ought not to have any influence on National Policy. If they have, it is an illustration of the contention of a later Chapter that the Expert is exceeding his function. The participation by Catholics in such excess of function is no remedy for the disease.

In a Preface to the volume, Mgr. Newsome says:

"Our worst breeding stocks, those who, speaking generally, on account of lower mentality and physical inefficiency have sunk to the slums, are as prolific as ever; our best breeding stocks—the middle classes, whose success in life is due to their higher abilities—are becoming increasingly barren." (p. 2.)

It is true that the passage is directed against the Birth Control propaganda. I cannot but regret that Mgr. Newsome, to make such a point, should have adopted the offensive assumptions and phraseology of the eugenists whom he condemns. Even if the reason assigned were true—which it is not—should persons of such lower mentality and efficiency sink to the *slums?* and is it demonstrated that "our worst breeding stocks" are those who have avoided mortal sin, while "our best breeding stocks" are

those who have committed it ? Mgr. Newsome adds " when reformers are casting about on every side for remedies for social evils, there is great need for the teaching of the Catholic Church on such matters to be broadcast." I agree.

CHAPTER IV

THE EUGENIC EXPEDIENTS

THERE appears to be no escape from the proposition that eugenic action depends on the State. Voluntary eugenics depends on mental "fitness" as its first condition, and will therefore not be undertaken by the "unfit." The eugenic possibilities of contraception, for example, have largely occupied the attention of the Eugenics Society. The results have been disappointing. The "fit" who ought to have made a point of having larger families, have inexplicably restricted their offspring to the barest minimum. The Birth Control Clinics which have been established in many large centres for the benefit of the "unfit" have failed of their purpose. A recent issue of the *Eugenics Review* admitted with regret that they did not influence persons below the class of "skilled workmen." The "dull normals and the definitely unskilled" had failed to act eugenically.[1]

[1] The correlation of low wages with social inadequacy, notwithstanding present economic facts, is illuminating. "We may conclude, therefore, that provided there are no signs of serious defects, patent or latent, *and that wages are not being badly spent*, all those individuals

There remains the coercive power of the State. A modified form of this, not eugenic in its purpose, is the Income-Tax rebate for children. It has the social disadvantage that it does not give parallel relief to the poor, and, possibly for this reason, is welcomed by the eugenists. But as the poor do not on that account practise restriction of their families, some more positive coercive discouragement will have to be devised if any appreciable eugenic effect is to be produced. Such coercive discouragement is so plainly contrary to public policy that its acceptance in so frank a form is unlikely.

Apart from this, four expedients appear to exhaust the possibilities of coercive action. They are Prohibition of Marriage, Segregation, Sterilisation and the Lethal Chamber. The first three are examples of that interference with the primary human function of procreation which was referred to in the first chapter. The last is the proposition that all problems are solved by death.

I. *Prohibition of Marriage* is, as we have seen, recommended for the insane and the mentally defective by Government experts in official documents. The general principles concerned will be dealt with under the next

who are now earning a good wage ought to be classed amongst those whose fertility could with advantage be kept at a *fairly* high level, whilst *an opposite conclusion* must be arrived at in the case of the ill-paid." (Major Darwin, op. cit. p. 271.) Pleasing vistas are opened by the words which I have put in italics.

heading. It is here only necessary to point out two things. Marriage is a primary social institution. To tamper with it is to tamper with the foundations of society. The fact has been well realised by Catholics in the matters of divorce and contraception. It does not appear to be so generally realised that the principles involved have a wider application. Speaking very generally it may be said that there are two cases where marriage cannot be *contracted* and where it may therefore be logically forbidden:— Physical impotence and incapacity for a real assent. Thus a person totally insane is incapable of giving assent, and therefore cannot marry, but it is necessary to distinguish between the case of such persons and that, for instance, of the monomaniac where a true assent is possible. Apart from true idiots and imbeciles mental defectives are capable of such an assent. These conditions of physical potence and capacity for assent are essential, and depend not so much on the persons concerned as on the nature of marriage. The Church does not appear to envisage any other prohibitions of the kind, apart from consanguinity in the direct line. Other impediments have relation rather to the individual circumstances, such as prior contracts, and need not be discussed here. Cases where the law forbids marriage in the case of venereal disease (as in Norway) have been adduced as eugenic. They are not necessarily anything of the kind. If

disclosure had been made and condoned with understanding, I am informed that there would in Canon Law be no bar to the marriage. The Church forbids *personal injustice*. She does not forbid marriage on grounds of problematical results. Her action cannot be adduced as eugenic.

If all the consequences alleged by eugenists were reasonably certain, it would still be arguable that more social evils would flow from placing the control of such a primary thing as marriage in the hands of experts, than would ensue from the production of a number of defective children. The point will be elaborated later. It is also clear that to prohibit marriage is not to prohibit offspring. The expedient, so far as its avowed purpose is concerned, is therefore useless. But we shall see that the avowed purpose is not the only one.

II. *Segregation* of defectives is of two kinds, protective and eugenic. The former has already been indicated. It may be necessary, as in the case of Idiots and Imbeciles, on account of the decline of normal social safeguards and family resources. It may also, much more rarely, be necessary for similar reasons in the case of a proportion of "High-grade" defectives. Such cases offer no separate problem. It is ascertainable as a fact whether or not a family is too poor to maintain an afflicted member who is permanently incapable of earning his own living, and whether his surroundings, as slums, are

such as to preclude leaving a defective person in them. But it must be insisted that segregation of this type is neither truly palliative nor remedial. We are only entitled to make use of it on condition of parallel efforts to restore the family capacity for independent action. We are guilty of grave injustice if we forcibly remove a member of a family because the family is *poor*, *instead* of remedying the poverty. We have not finished when we have achieved protective segregation, we have only begun. If we must not empty out the baby with the bath-water, still less must we empty out the baby and leave the dirty suds where they are.

But apart from such cases of sheer helplessness and poverty, High-grade defectives capable of earning their own living, or of being trained to do so, are segregated in large numbers. The question to be discussed is whether, or how far, the State has a right to take from High-grade defectives their right to liberty, and subsequently their right to marriage.

We may put aside for the moment the somewhat drastic claims of eugenists and quote a statement of the case by Fr. H. Davis, S.J., in his recent book on Eugenics (p. 55).

"We must admit that the existence of defectives amongst the general body of the population is opposed to the common good of the State for two reasons; first, they are a danger to themselves because they are

irresponsible in varying degrees; secondly, as a body they are a danger to other citizens."

The initial difficulty is that mental defect is by its nature a question of degree and not of kind. We are all in some measure defective, irresponsible and dangerous to our neighbours, otherwise the need for the State would not arise at all. Every woman is potentially seducible, every man is potentially capable of rape. We are all capable of murder and violence. We all know men and women, often of great mental and academic attainments, who are distressingly inadequate in the simplest practical affairs. We all know men whom we would not trust with any woman. We all know lots of people who would be much better dead, and sometimes we are tempted to assist the common good by terminating their existence. But to act on these assumptions is to make community life impossible. We cannot act, in these matters of social degree, on what people *are*, only on what they *do*. The very purpose of civilised law is to enable men and women to *be* what they like, but to prevent their *doing* things which infringe the "equal rights of other men."

But if this be so, Fr. Davis' presentment begs the whole question, as does our present system of certification of the Feeble-minded. Under those principles we have nowhere to stop. A girl may allow herself to be seduced for a dozen reasons or no reason. She may

be feeble-minded, or infatuated, or without moral principles, or merely vicious. The fact of seduction is not a presumption that any one of these reasons is the correct one, nor is it easy to see how, in the case of "High-grade" defectives, the first reason can be proved to the exclusion of the others. We should bear in mind that fornication is not, for either party, an offence at Common Law.

It seems that in invoking the aid of the State we are constrained by reason to confine ourselves to the Common Law. Those defectives are to be segregated who in open court, with full legal safeguards and with witnesses, lay as well as expert, are proved seriously to have infringed the Common Law by reason of their defectiveness.

On the whole, cases of this kind would be offences against the person, for only so can there be presumption of "danger to other citizens." It is not the case that defectives are such a danger "as a body," for all authorities are agreed that on the whole they are docile and well-behaved, and do not become criminals.[1] If it be objected that

[1] *Wood Report*, Vol. I, p. 145. The last Annual Report of the Special Schools After-Care Sub-Committee of the Birmingham Education Committee has this significant passage. "This fallacy [of the criminal tendencies of Mental Defectives] has since been exploded, and the belief is no longer widely held, but it seemed . . . that a search of its records so far as delinquency among the defectives under its supervision was concerned, might afford some interesting informa-

we forestall some distressing incidents by segregating people before they commit any offence, the reply is that we could solve nearly all our problems, except the problem of social life, by the same philosophy of prohibition. The occurrence of distressing cases may be freely admitted, but there is something very much the matter with society if they cannot normally be dealt with through the defective's family or by persuasion. Legal action on contingencies as assessed by experts has only to be stated in its bald form to be rejected by anyone with an appreciation of what society is. On the lowest ground, the freedom of the person is a greater good than the avoidance of hard cases.

With these wide reservations, and a re-orientation of our law and administration on the basis of fact replacing assumption, we may agree that protective segregation as a temporary expedient is not contrary to Catholic principles, for certain individuals. Bulk segregation on principle is to be resisted at all costs.

tion. As expected, very few cases have been found to be the subject of police court proceedings, although the files for the last five years have been searched. The offences in the majority of cases were not serious. The evidence . . . therefore fails to support, and does much to controvert the statement that delinquency among the mentally defective is exceptionally high." (*Birmingham Post*, 2nd September, 1930.) As regards America, Dr. J. A. Ryan makes the same point with some emphasis in *Moral Aspects of Sterilization.* (N.C.W.C., 1930, pp. 14–16.)

Eugenic Segregation. The reader who has followed the argument of the earlier chapters will realise that at present there is no case for eugenic segregation, which is solely a means for preventing marriage and procreation. It is nevertheless being extensively practised under the existing Acts. Dr. Lyster, Medical Officer of Health for Hampshire, said, for instance, to the Maternity and Child Welfare Conference in 1928: "A puritanical group is working in these enlightened days with such success against unmarried mothers that *without their being mentally deficient* they are being put away in dozens under the Mental Deficiency Act in Mentally Defective Institutions for life!" We have seen also the anxiety of the Board of Control and the Mental Deficiency Committee to prohibit the marriage of the "unfit." Segregation has frequently been welcomed uncritically by Catholic writers, by way of reaction against the more repulsive eugenic expedients. We need not solve by anticipation the problems of our remote descendants; it may be that if the eugenic case were ever proved, they would decide that segregation offered a minimum of interference with human rights. But that is no reason for an uncritical acceptance of it now, as the least offensive of the solutions presented to us. Those solutions do not exhaust the possibilities. But whatever would be the correct Catholic attitude towards a *certain* prediction of defective progeny, it is clearly unjust to

prevent such progeny on a basis of averages. I am not to be denied, on Catholic principles, marriage and fatherhood, because statistics show that half my mental equals have defective children. To accept the eugenic denial on the basis of averages is to abandon the whole field of natural law.

The point has been in some cases obscured. Fr. Davis, for instance, after the passage already quoted, proceeds to say: "Once they are segregated, the opportunities of marriage need not be given to them. The natural right to marriage which a man and woman have can only be used when they are in circumstances in which they can actually exercise that right, or can at least make reasonable and fitting dispositions for their own lives and that of their offspring relatively to society in general." (pp. 55–6.) He proceeds to detail, at some length, counsels of prudence against the marriage of such persons, which are to be regarded as justifying his original statement.[1]

Fr. Davis definitely excludes eugenic considerations as unproved. That only makes the general position more astonishing. It is certain that "as a body" defectives are not dangerous. It is equally certain that "as a body" they are not victimised. They are segregated none the less, and being segregated "the opportunities of marriage need not be

[1] Fr. Fallon does not appear to share this view. (*Eugenics*, pp. 46–7.)

given to them." Fr. Davis is certainly entitled to give to such persons his counsels of prudence. There is no case, Catholic or other, for translating such counsels of prudence into compulsory celibacy. The Church does not do so. Marriage cannot be *refused* to an unemployed man, who certainly cannot promise, in the present state of society, that he will ever be employed again. It cannot be refused to a tramp. It cannot be refused to a prostitute who presents herself as in a state of grace, whatever personal doubts the priest may entertain of the ultimate fate of her children. Inefficiency in bringing up a family can be presumed at least as plausibly in these cases as in the case of one of those "High-grade" defectives "*who appear quite ordinary.*" The plain fact is that there is in the mind of the Church a danger more terrible and real than any contingent danger of this kind. It is the danger of condemning men and women to unwilling celibacy. The Church exalts celibacy. She will not tolerate its enforcement. She has no anti-nuptial blessing, to follow on these dreadful betrothals with segregation.

We all know of feckless marriages where disaster is freely predicted, with as much or as little certainty as can be alleged in the case of High-grade defectives. We may counsel, we cannot forbid. We are not entitled to save other people's souls for them, once the limits of counsel have been passed, and certainly we are not entitled to condemn the

innocent to a life which is likely to involve grievous sin. Defectives are innocent, they are not irresponsible before God.

It will not do. The counsels of prudence cannot be used to evade the issue of eugenic segregation. If hereditary taint is excluded, there is no other principle which need even be considered as justifying compulsory celibacy. It seems, therefore, that protection and Common Law, assessed not on presumption but on fact, are the only principles which justify segregation. Even in these cases it is not clear that marriage can on principle be excluded. For if, through no fault of their own, defectives are imprisoned for longer periods than the law allows in other cases, or if through lack of distributive justice they must be maintained, it does not appear that their misfortunes should be intensified by automatic denial of the Sacrament of marriage.

A few words may be added here on the new word "socialisation," which means returning defectives to the community under supervision. It may be suggested, without lack of charity, that the notion is too muddled to be a useful contribution to the "problem." If it meant exceptional steps to train persons not amenable to ordinary training methods, followed by a return to the community, we might welcome it whole-heartedly. But the authoritative discussions in the *Wood Report* make it clear that such return is to be accompanied by permanent supervision, often

of an amateur kind, and in particular that marriage is definitely excluded. The whole discussion shows an astonishing inability to grasp the function of the family, and to legislate on these lines would be to emphasise and make permanent that atrophy of family life which we ought to be fighting instead of encouraging.

III. *Sterilisation* is a surgical operation which, without removing the genital organs, makes procreation of children impossible. It is not unattended by danger, although, as the *Eugenics Review* pleasantly remarks,[1] "Sterilisation is safer than pregnancy."

Sterilisation has, up to the present, not been approved by either the Government or other experts. The Board of Control and the *Wood Report* have definitely declared against it. The Eugenics Society, however, regards it as a prime necessity, and other powerful bodies, notably the National Citizens' Union, have devoted a great deal of energy to the propaganda. A draft Sterilisation Bill appeared in the *Eugenics Review* for October 1928. Local Authorities have toyed with it, following upon a broadcast resolution of the Shoreditch Council. Twenty-nine States of the American Union have passed or attempted to pass Sterilisation Laws since 1907. Twenty-three still have such legislation on their Statute books. In only one, California, has any serious

[1] April 1929, p. 41.

attempt been made to put the law into practice.

The campaign for sterilisation, which, so far as intensive propaganda is concerned, opened in England in 1928, has evoked a number of adequate statements of the theological exclusion of this expedient. It is unnecessary for the present writer to echo their terms, but it is a pleasure to testify to the soundness of Fr. Davis' treatment of sterilisation in his book.[1] Some articles by Dr. Bernard Grimley in the *Catholic Gazette*, April and May 1929, may also be recommended, and in general it may be said that this violation of bodily integrity is, for Catholics, excluded on principle.

The case seems to be covered, apart from heredity or social considerations, by the principle of St. Thomas: "No one should unjustly hurt another to further the common good" (II–II, Q. lxviii, art. 3).

We may confine ourselves here to more practical points. It is clear to begin with that in the absence of ability to predict the transmission of defect, sterilisation should not be admitted to intelligent discussion at all. Besides the general considerations mentioned in Chapter II, two expert opinions bearing more directly on the point may be given. Dr. W. A. Potts, the Birmingham official expert, says: "I do not regard

[1] Many of his principles could be applied against the view of segregation which he himself endorses.

sterilisation as an effective remedy. The majority of cases of mental deficiency are not the offspring of parents who are actually mentally defective, and in consequence it would take hundreds of years to eliminate the mentally defective by sterilisation." (*Birmingham Post*, February 22nd, 1929.) The same objection applies, of course, to eugenic segregation, for the same reasons. Dr. F. A. E. Crew, of Edinburgh University, says of such laws elsewhere: "It can be said, however, that in the majority of cases the laws have become dead letters, commonly for the reason that medical men have a very real difficulty at the present time in selecting the proper cases for such operative treatment." (*Heredity*, p. 77.) Sir Frederick Mott and Dr. Tredgold have been equally uncompromising in their opposition.

Sterilisation leaves sexual desire unimpaired. If there is any real basis for the eugenist claim that venereal disease is spread by mental defectives, it seems that this ground alone is sufficient for the rejection of sterilisation. If they propose to segregate and sterilise, as the most recent information from California suggests,[1] this is not to save but to spend more public money for no greater safeguard. If they sterilise and

[1] I asked an American gentleman for his opinion as to why sterilisation has been pursued only in California. His reply was illuminating. "California is an extraordinary state. Nobody does any work there." I need not state the conclusion.

release, with the fear of child-bearing removed, the social evils will, on their own showing, be greatly intensified.

The *Eugenics Review*, however, does not hesitate to say of Socialisation: "It is not for us to judge the value of this policy in aiding the welfare of existing defectives, but we can say that its adoption, unsupplemented by sterilisation, would be an irreparable crime against the race."[1]

It was mentioned in Chapter III that the principles which, almost unconsciously, we have been led to follow in dealing with Mental Deficiency, end logically in the institution of slavery—the society containing men and citizens, and something less than men and citizens. The application is particularly clear in the case of sterilisation.[2] The letter to the Minister of Health, already quoted, contained the following passages. They are reproduced here, because some Catholic writers have tended to confine the objections to what may be termed "technical" points. But there are broad principles common to the natural and the Divine Positive law, of which we have been too little reminded.

"To assent to any of these measures on eugenic grounds is to agree that mankind

[1] October 1929, Editorial, p. 169. The passage is also interesting as indicating once more the characteristic exclusion of any purely environmental expedients from the domain of eugenics.

[2] Cf. K. L. Kenrick, *Catholic Gazette*, March 1930.

can be classified into two races, distinguishable by experts from birth and parentage—an upper and a lower—the fit and the unfit—those that are wanted and those that are not—those that matter and those that do not.

. . . . .

"Our objection to sterilisation is almost more that it brands than that it mutilates. To select a certain number of people from the mass of the community, and to pronounce upon them the doom that they must be prevented by force from reproducing their kind, is tantamount to telling them that they have no right to exist, that they are a curse to themselves and the community, that it would be better if they had never been born. It is to cut from under their feet every possible ground for self-respect. It is to destroy all incentive. It is to justify them in regarding the community as irreconcilably hostile to them. It is to deprive them of all hope and to fill them with despair.

. . . . .

"From this point of view, eugenic legislation would mean the creation of a new 'outcast' class—a class of people with rights and privileges definitely different from, and inferior to, the rights and privileges of the ordinary citizen. The imposition of such a legal and social stigma upon a class already presumably suffering from grave disabilities

would put them in a position of weakness, difficulty and disadvantage which few could contemplate with equanimity. A complete new Code of Law would be necessary to define their position. The consequent superior and inferior Codes and Classes would have social repercussions of so grave and disturbing a kind that we have ventured to describe them as subversive of the very principles of civilisation."

Sterilisation, and the eugenic propaganda in general, has for obvious reasons had a particularly "good Press." All its elements are sensational. They offer a short cut, and as already mentioned, they lift a burden from the consciences of men. They have been fully exploited, and it is improbable that the average newspaper reader has any reason to doubt that the postulates of sterilisation are generally agreed. It would be a mistake to think that the campaign is ended, and a greater mistake to underestimate its resources. The Eugenics Society, which in addition to formidable normal resources, disposes of a recent legacy of £100,000, says in its last Annual Report (p. 5): "The question of getting legalised a Bill to regulate the practice of Sterilisation was then again raised, and a propaganda sub-committee was appointed with a view to influencing responsible public opinion favourably in this direction. The time was considered ripe for such action, in view of the recently published

Mental Deficiency Reports, and of the numerous allusions to Sterilisation in the Press."

It will be noted that the Society is, in spite of the verbal condemnation of sterilisation in the *Wood Report*, under no illusions as to its tendencious character.

But at least the campaign has had the effect of throwing into high relief the real aims which lie behind eugenic propaganda. The Editor of the *Eugenics Review*, in January 1929 (p. 233), made the following pronouncement.

"The passing of even a voluntary Sterilisation Bill, or of an Act forbidding the marriage of mentally diseased persons,—both now possibilities—would mean far more than the elimination of certain defective stocks. It would imply the general and legal acceptance of two fundamentally important concepts. Firstly the recognition of the biological basis of humanity: secondly the realisation that the begetting of children is a privilege and responsibility, not a 'natural right.' These are the foundations of Eugenic progress."

The cat is out of the bag. Sterilisation and denial of marriage are not valued ultimately for their ostensible effect, but because they proclaim the animal basis of man, with presumably none but animal rights, and because they transfer procreation from the realm of natural right where it has always dwelt, to the realm of the will of the State

officials. Catholics, more than most citizens, may ponder their probable fate under such a system.

This high plane of Spiritual Pride has not been generally maintained. Most of the sterilising party seem content to take the cash and let the credit go. Their appeal has been largely based on the alleged increasing cost of unfitness and disease. The National Citizens' Union, and other bodies and writers, appear to be under the impression that if the cost of upkeep of defectives were saved, our deplorable economic situation would be instantly remedied. It has not even the merit of being true, but the treatment is reminiscent. "The expense to the Parish is three pound ten!—three pound ten, Oliver! —Seventy shillins—one hundred and forty sixpences!—and all for a naughty orphan which nobody can't love."

We need not remain in this rarefied air, but I once calculated from official figures, without contradiction, that all the public expenditure, Imperial and Local, which might on eugenist assumptions be allocated to hereditary defect of all kinds, fell short of £20,000,000 a year, less than sixpence in the pound of taxation.[1]

What proportion of this sum would have to be earmarked for officials, if we allowed them to sterilise and supervise marriage, is problematical, but it would not be small.

[1] See the *Catholic Times*, January 18th, 1929, for details.

But a number of local authorities seem to have been stampeded into pressing for sterilisation by the entrancing prospect of a few pence off the rates. One particularly choice example may be given. The Council of the County Borough of Wolverhampton approved, without a division, on May 12th, 1930, a Report of one of its Committees in which the following passages occur. The tendencious restriction to hereditary causes, and the repulsive alternatives offered, will be noted.

"That every effort should be made in the interests of the nation to secure the rapid, accurate and complete ascertainment of the causes of mental deficiency, and that accordingly the Government should be urged to give immediate effective financial support to the Board of Control and any competent authorities who are or might advantageously be engaged in the necessary work of research.

"That pending the ascertainment of the necessary information to permit of final conclusions being made upon the advantages of the utilisation of Sterilisation for the prevention of mental deficiency, legislation should be promoted without delay for the following purposes:

"(1) To enable local Mental Deficiency and Lunacy Authorities to give in appropriate cases to defectives or lunatics who are about to be sent to or who are for the time being detained in an Institution, the option of being sent to or of continuing to be detained

in the Institution (as the case may be) or the alternative of being released on licence under supervision upon submitting to Sterilisation.

"(2) To permit of an offer of Sterilisation at the expense of the community being made to all persons who have been or may be certified as insane or mentally defective."

It would perhaps be too much to expect Councillors of a County Borough to realise that no "rapid" ascertainment of such causes is possible, but it might certainly have been expected of guardians of the local liberties that they would not in one breath admit that they did not know, and in the next demand sterilisation until they found out.

The age of reason is indeed upon us. The Report was adopted without a division.

The abrogation of common sense which has thus accompanied most of the public discussions on this subject is one of the most astonishing phenomena of recent years. The heavily subsidised eugenist propaganda can claim as much credit for this result, as it can for bemusing the mind of Mr. Justice McCardie. Its implications will be discussed in the next chapter.

IV. The *Lethal Chamber* is a conventional phrase for the proposal to kill off defectives. It is a perfectly logical deduction from eugenist premises, but it has not yet emerged into popular propaganda in England. Occasionally a Professor will, in the dignified

seclusion of the *Times* correspondence columns, advance reasons for its adoption, and I do not doubt that if a Sterilisation Law is passed, the Lethal Chamber will immediately emerge as the next eugenist proposal. It is in the air, but not to any extent in black and white. I may, however, mention here that an important public official with whom I discussed sterilisation rejected that expedient with vigour, but proceeded to hope that he would see the day when idiots and imbeciles would be painlessly destroyed. It did not appear from his manner that he regarded himself as a pioneer.

Death solves all problems. It may solve the problem of modern civilisation if we cannot maintain the sanctity of life.

Note

The courtesy of the Director of Publicity to the National Catholic Welfare Conference of America supplied me, while the present work was in proof, with a series of four pamphlets on Mental Deficiency, newly published by the Conference. They are :

The Inheritance of Mental Defect, by Ulrich A. Hauber, Ph.D.

The Social Care of the Mentally Deficient, by Charles Bernstein, M.D.

The Moral Aspects of Sterilization, by John A. Ryan, S.T.D.

Eugenic Sterilization in the laws of the States, by William F. Montavon, K.S.G.

Dr. Ryan has unfortunately followed Dr. Mayer in accepting an "ideal" position where sterilization would be permissible, but is, of course, strongly opposed to it in practice. Apart from this, the series is of the utmost value, and should be in the hands of every Catholic who needs technical support against Eugenist pressure. It is unfortunately too late to quote these authorities in support of several of the views expressed in these pages, but I may say that Dr. Bernstein, a non-Catholic, who is Superintendent of the Rome State School for Mental Defectives, New York, trains his defectives to take their place in society, where they may marry and have families. His experience lends no support to the contention that defectives are unduly prolific, or that the proportion of defective offspring is unduly high. The whole pamphlet throws into a very unfavourable light the muddled, timid, or tendencious statements on "socialisation" which are current in England.

CHAPTER V

DISTINCTIONS

We are now equipped to make some distinctions. The discussion of eugenics has been beset by astonishing misconceptions. Some of these have been indicated briefly in earlier chapters, but more definite distinctions are necessary to a conclusion. There are misconceptions on the state of the case, because we have taken *ex parte* statements to be authoritative. There are misconceptions on the Catholic orientation of social philosophy, because eugenics is new and has been judged by new and frequently uncritical standards. There are misconceptions on the limits and nature of eugenics and on the Rule of the Expert. There is the general and fundamental misconception which fails to correlate eugenic proposals with the large and permanent principles of the natural law.

The State of the Case.

We lack unbiased estimates of the proportions of mental deficiency and "unfitness" as much as we lack adequate definitions of them. Any analysis of the literature of unfitness shows that all the assessments,

panic and otherwise, which present a pressing problem, emanate from persons or bodies "already committed to a decision on the points in dispute." They are not therefore false, but at least they are *ex parte*, and no writer on "eugenic problems" who accepts these estimates as the basis of his discussion can be said to establish conclusions free from doubt. If we take a parallel case such as Poverty, we find the discussion carried on by statesmen, politicians, moralists and a wide range of citizens. The specialist enquiries such as those of General Booth and Mr. Seebohm Rowntree awake an immediate echo in our own hearts. We know of our own experience that their calculations must be somewhere near the truth. But the "problem" of eugenic unfitness is on an entirely different footing. All estimates date back, not to common experience, but to the work of eugenists and experts. Which of us, walking through the streets of a great city, would say, *motu proprio*, that there was a eugenic problem? But he would without hesitation say there was a problem of poverty. Yet, if the problem approached the proportions alleged by the chief eugenist writers, it would be a matter of common observation as much as poverty. If the absurd estimate of 340,000[1] Mental

[1] *Wood Report*, Part I, pp. 75 and 93. Even on the present basis, inflated as it appears to be, the total number of defectives of all ages known to Local Authorities is 61,522 (*Wood Report*, Part I, p. 51), of whom only 38,979 are "subject to be dealt with."

Defectives were correct, how could the problem escape our personal observation? One per hundred of population cannot be so easily hidden, and if 10 per cent of the population were "sub-normal," the fact would impress the most casual observer. I invite the reader to reflect that in view of this mysterious discrepancy, there is no reason for him to take the eugenist estimates at their face value. The case need not be put more strongly than that. But Fr. Davis, paraphrasing without apparent disagreement a characteristic outburst by Major Leonard Darwin, concludes: "The writer referred to adds that if criminals and defectives were reduced in number, it would not be necessary to employ 70,000 police in England and Wales." (*Eugenics*, p. 10.)

The occupation of the police is largely open to ordinary observation. I suggest that the bulk of them are occupied in preventing those heavily taxed citizens who cannot afford a family from piling up their cars at all the cross-roads in England.

The Catholic Orientation.

We may paraphrase a famous saying, "O Posterity, what crimes are committed in thy name." Some years ago, the Editor of *The Month* had occasion to discuss a eugenist proposal about the future. He said, perhaps with a little malice, that we have no duty to Posterity, because Posterity does not exist, and we can have no duty to something

which is not in existence. Fr. Keating maintained the point against the shocked piety of the President of the Eugenics Society. This devastating criticism appears to enshrine the Catholic principle as against Eugenics. God has created the world, and mankind as the Lord of the World. He has endowed mankind with a certain moral code. It appears to follow that so long as we accept his code of right living, we are as a race secure from any degeneration in the structure of man. To deny this is, I submit, to deny the Providence of God. If temperance and justice reign in the future it will be because we have practised temperance and justice to-day. The future will be added unto us. The Church has no need of any eugenic theory because she has forestalled its necessity. If to-day is true to justice it must follow, as the night the day, to-morrow will not be false to any man. We have seen that the eugenic theory, on the other hand, is that the more merciful mankind is, the more it will degenerate unless artificially controlled in its primary functions. That theory appears to be fundamentally atheistic.

It is commonly said, not alone by eugenists, that the Church herself began eugenics by her tables of forbidden degrees in marriage. It does not seem to occur to them that when the Holy Ghost had taken certain steps to forbid the marriage of blood relations, he had made all the necessary "eugenic" arrangements to prevent the degeneration of

the race. It may be taken as a working hypothesis that when Almighty God begins a job he finishes it. The contrary assumption is that over many thousands of years, only a crude form of the "survival of the fittest" prevented the spectacle of mankind declining into imbecility, until Sir Francis Galton, fifty years ago, realised that a beneficent industrialism had made "natural selection" inadequate.

The Church confines herself to present justice, "having trust in the event." There appears to be nothing, in the vast range of Catholic moral and social teaching, which does not operate on this basis. The translator and editor of Fr. Fallon can only adduce one Thomist passage of very doubtful application. Fr. Davis adduces nothing at all. It would at least be strange if the strong and encompassing intellects which have in many ages set forth our philosophy, should have failed to indicate that present justice is not enough, unless on the assumption that Catholic philosophy will not entertain that possibility. A social philosophy, perfectly adequate to every modern need, can be compiled from S. Thomas. The artist, working on subjects and materials new and strange, finds in him an adequate counsellor. His political economy is up to date. His general philosophy in advance of it. But no man can compile from him the principles of eugenics, or deduce from him the need of it, and we can, moreover, hear the distant

thunders when he says, " Justice by its name implies equality " (II–II, Q. lviii, art. 2).

The fundamental contradiction between the Catholic and eugenic philosophies is that the former forestalls future decline by present justice; the latter would forestall it by infringements of freedom and equality, which are present injustice. The whole imposing mass of Catholic moral principles operates " here and now." Holding closely to primary principles, it covers by anticipation those deductions which are remote. The eugenic principle promises " jam yesterday and to-morrow, but never to-day."

A curious recent instance of the eugenist appreciation of this contradiction may be quoted here. In a complimentary review of Fr. Davis' recent book on Eugenics, the Editor of the *Eugenics Review* concludes (July 1930, p. 135): " The [Catholic] believes it better for civilisation to crash, rather than to defend itself by methods which his revealed religion declares to be immoral. This is the first dogma the non-Catholic cannot swallow: and the next is that which declares that interference with the sexual functions of an individual, except for his or her own benefit, is intrinsically wrong. These objections of abstract morality—of theology in reality—lie at the root of every Catholic attack on eugenic principles or proposals. And it appears that there can be no reconciling of the two outlooks."

The point goes further. Fr. Davis says

(p. 72): "The Church is in favour of eugenics in principle." But the founder of eugenics, in his primary definition, spoke of giving "to the more suitable races or strains of blood a better chance *of prevailing speedily over the less suitable*." (*Human Faculty*, p. 17, my italics.) The phrase is repeated in the principles of the Belgian Eugenical Society. (Fallon, p. 27.)

Is the Church in favour of giving to human relations the essential quality of a war against the weak?

The Limits of Eugenics.

A thing is judged by its essential differences from other things. There is a sense in which the Seventh Day Adventists may be said to agree with the Church, as, for instance, in a devotion to Holy Scripture. But the essential difference in Seventh Day Adventism is in its Rule of Faith, and its peculiar doctrines about the Sabbath and the Second Coming. We judge it by the difference and not by the agreement, and we say that there is radical incompatibility between it and the Church. Catholicism and Mohammedanism agree in the doctrine of the Unity of God. The former is differentiated by the Trinity, the latter by the dogmatic denial of Trinity. We say the two are incompatible.

There is marriage in the Church, and marriage in Statute Law. There is a wide range of agreement between the two, but we do not say that Catholic marriage agrees

with the Statute marriage laws in principle, because one is terminable and the other is not, and indissolubility is the essential difference.

Because the range of human thought and activity is limited, there must be *material* agreements and contacts between many incompatible things. But we do not claim that things are identical or compatible unless the qualities concerned are of the essence of both things.

Now the essence of eugenics is that the manipulation of hereditary qualities is the prime necessity for social maintenance and betterment. The essence of Catholic Social teaching is that society is maintained and bettered by the full exercise of Distributive and Commutative Justice. I can see no point of contact between these two essences, nor any way in which one may operate on the other without immediate hostility. It is true that the term " social maintenance and betterment " is common to both. It is common also to Distributism and Communism and to any other social philosophy. In isolation it is meaningless. The executive terms alone give significance to the whole.

When, therefore, it is stated that the Church is in favour of Eugenics in principle, it is either this meaningless " social maintenance and betterment " which is referred to, or a certain modification of principle must be present in one or the other.

Fr. Davis appears to find such a modification in eugenics. He says:

"Catholics have no quarrel with eugenics as such. They quarrel with some of the measures advocated by some eugenists. There are, it is admitted on all hands, some eugenical methods that deserve all praise, such as the choice of a healthy partner in marriage, extreme medical care in maternity hospitals, the healthy rearing of children. . . ." (p. 38.)

And again:

"The Catholic Church is in favour of a healthy life, healthy offspring, clean living, temperate habits, continence before marriage, temperance in marital relations, care of the pregnant mother, elimination of venereal diseases and of alcoholism, improvement of the slums, avoidance of over-crowding and of the scandalous herding together in one room of growing children, suitable conditions of labour, appropriate work for women and girls who have to work. . . . All this is eugenical in the best sense and in the highest degree." (p. 59.)

These things are certainly to be praised, and the Church is in favour of them, but why are they described in such a connection as "eugenical"? It is as though a priest, in the instance given above, praised devotion to Holy Scripture among Catholics and proceeded to add "all this is Seventh Day Adventist in the highest degree." The Church recommends the choice of a healthy

partner from general motives of present prudence in the other spouse. She favours medical care for mothers as a matter of bare justice due to the mother from the father. She insists on the healthy rearing of children because children can demand it of right from their parents. It is also fairly well known that she favours the applications of Chastity, Temperance and Social Justice which are detailed in the second list. She does so because these are virtues pleasing to God. Because they are pleasing to God they are good for man and society, and because they are good for man and society they will very likely be useful to posterity, who, as Dickens said, "will come into an immense fortune." Major Leonard Darwin is fully aware of the distinction: "Reforms may be classed as eugenic, if, in promoting them, the hereditary qualities of future generations are mainly held in view, and as environmental if the main object is to produce such changes in human surroundings as would have immediate beneficial effects, effects which, no doubt, might also endure for many generations." (op. cit., p. 38.)

But the important question to be asked is whether any eugenist would recognise this list of beliefs, exclusive of other items, as giving anybody the right to call himself a eugenist. He would not. Fr. Davis does not give the source of his information on these points, but I know of no eugenist circles where they would be regarded as eugenically

characteristic or adequate. They will not be found in eugenic propaganda, as we saw in Chapter I.[1] If they were they would still conflict in principle. The Church advocates these things as applications of justice between men. Eugenics would advocate them only as improving superior stock. The reasons are incompatible. The Church would advocate care for mothers everywhere and always. There are large numbers of women whom eugenics would prefer not to be mothers at all. I submit that verbal agreements of this kind do nothing but mask an essential conflict of principle. It is only fair to the Eugenics Society (and to any other eugenists there may be) to say that they have made no pretence (except for a few instances in their early literature) to incorporate in their propaganda environmental improvements as such, even for " window-dressing " purposes. The window-dressing has come from other quarters.

What remains ? Eugenics is identified in the English-speaking countries, permanently and irrevocably with one or all of the four eugenic expedients : prohibition of Marriage,

[1] For example : A Bill was recently before Parliament which purported to improve the terms of admission to mental hospitals, with the object of facilitating recovery. The *Eugenics Review* said : " The Mental Treatment Bill has no aspects of Eugenic significance." (January 1930, p. 247.) In October 1928 (p. 219), it said that Cancer was " beyond the reach of practical eugenics," because it occurred in the " post-reproductive period."

Segregation, Sterilisation and the Lethal Chamber. I have sought to show that none of these as set forth by eugenists is tolerable to Catholic thought. If I have succeeded it follows that Eugenics is not a word which can be correlated with the Catholic word, and that it is not a thing which is compatible with the Catholic thing. We do a disservice to the Catholic thing when we make the attempt. What sympathy can there be between the Church of the poor and a society which avowedly and persistently equates fitness with wealth? There remains the Belgian type, which is not overtly identified with those four expedients, although logically they exhaust the eugenic possibilities. Must we judge it differently? We have seen that it endorses fully the philosophy of elimination by war on the weak. It proceeds: "The programme of Eugenics consists in the introduction into public opinion of a new discipline inculcating a pride in a sound heredity." (Fallon, p. 27.) That is, we are to induce citizens drastically to remould their lives on a theory which is not yet proved, and which cannot be proved for many generations. It is not very logical, but is it tolerable? An incalculable amount of moral harm has been done by thus prematurely persuading people of the force of heredity. "Uncle Peter died of drink. Woe is me, I feel the virus in my blood!" The shame and distress of poor parents who have a defective child is burden heavy enough. Are we to thrust them from

distress into despair by convincing them of hereditary taint? Bad and sad enough if the taint and virus could be proved, but as they cannot, what "new discipline" is this? Not, at any rate, the majestic discipline of the Mother of us all. We are to diminish the sweep of free-will, we are to offer an occasion of despair, on a guess. It is a strange pursuit for Catholics. I suggest that there is more than an element of scandal in it.

"The science of Eugenics is welcomed by all Catholics." (Fr. Davis, p. 71.) There is no science of Eugenics, unless it be the patient collection of facts in the seclusion of the study, and this is proper rather to biology than to the art of improving stock.

NOTE. I exclude from the field of eugenics, for obvious reasons, what is known as "prenatal environment." It has nothing to do with "races and strains of blood," and a suitable environment is by definition an adequate safeguard against any forms of defect which may be due to events occurring between conception and birth. The point is medical but not eugenic.

The Rule of the Expert.

There is one essential implication of eugenics in operation which has been ignored by most Catholic writers. It is the necessary dependence of that system on the despotic rule of the Expert. The incidence of the play

of heredity on mankind can never be anything but highly intricate and obscure to the layman. There is high authority for supposing that hereditary prognoses or speculations on mankind can never be as simple as the principles of Mendelism, which are themselves with difficulty grasped by the citizen. If this be so, and the eugenic principle is imposed upon society, society will be ruled by the eugenic expert.

A preliminary distinction is desirable. The moralist or theologian is sometimes referred to as an expert. This is true, but not quite in the same sense. The theologian is a man who has devoted himself to working out the applications of the first principles of religion. But the opinion of the theologian, when stated, is within the compass of the lay mind. The layman could not have written the *Summa Theologica*, but he can follow with intelligence any of its parts. In any case, moralists and theologians are alone in dealing with life and reality in the round. They are, in other words, the only " experts " who are helped by their subject to keep quite sane. It is nevertheless true that the action of theologians on civil society has frequently been described as " priestcraft," the intrusion of priestly offices and prestige into purely civil functions. Catholics are aware that the description is largely undeserved, but it is not necessary for them to deny that in its more technical aspects, " priestcraft " may sometimes have been guilty of intrusion into

matters where its influence was harmful and unwarranted.[1] If a subject uniquely in contact with life and with tremendous sanctions, is not free from temptations to trespass beyond its bounds, it is clear that we must examine the position of other experts with great care. Modern experts of various kinds tend more and more to involve their subjects in language and technique unintelligible to the citizen. They tend even more to coalesce into close corporations extremely jealous of their widening privileges.

The maintenance of a sane society depends on all its decisions being made with reference to all the circumstances. That is only to say that the city should be ruled by the citizens, or at least by the principles of citizenship. The community which allows a private or sectional interest to legislate in accordance with the views or benefit of that interest is headed for disaster. The principles invoked must be the principles of society as such. It is axiomatic that the expert is by definition incapable of that invocation of the principles of society.

An expert may indeed be consulted. His place is in the witness-box, and the value of his evidence to society is directly proportional

[1] I shall not, I trust, be misunderstood if I refrain from lengthening this discussion by treating in greater detail of the functions of " the Ambassadors of God " in civil society.

to the ability of the citizens to grasp it. As the present Lord Chief Justice has said, "Justice must not only be done, it must be seen to be done."

If a community tolerates an expert opinion which it does not understand, it abdicates its functions and becomes merely the register of the expert opinion.

It was said in an earlier chapter that the expert tended to act, not on what a man *did*, but on what he *was*. A few days after those lines were written, Dr. Hamblin Smith, Medical Officer of Birmingham Prison, gave evidence before the Select Committee on Capital Punishment. He was asked for his views on the treatment of murderers. "Dr. Smith replied that he would have the treatment decided by a Board, which would not be exclusively medical. 'The Board would not consider so much what the man has done as what he is,' he added."[1] That is the expert line in a nutshell. It supplants the trial of a man by his peers, it abrogates the rule of the city by the citizens.

There appear to be four chief anti-social features which normally if not always characterise the expert who has escaped from the witness-box into the judicial and administrative chair. They are irresponsibility, lack of balance, arrogation of irrelevant rights, and pessimism. They may be very

[1] *Birmingham Post*, July 3rd, 1930.

briefly explained. The administrative or judicial expert is necessarily irresponsible because his judgement is a personal one based upon evidence inaccessible and incomprehensible to the citizens. He can and does refuse to give plain reasons for his decisions.

He is unbalanced because he judges by his sectional technique, which he strives constantly to perfect and extend. If he entertains ordinary citizen considerations, his acquaintance with them will normally be less than that of the average citizen, for the very reason that he has spent his time immersing himself in his special subject. In either case, his judgement, as a judgement, will be inferior to that of a less learned but more balanced mind. He is essentially "lop-sided."

He will arrogate to himself irrelevant rights, because he will be impatient of constraints on his technical knowledge. He knows better than anyone else. Or, because he is human, the lust for Power will impel him to bear more and more heavily on the obscure prestige of his uncheckable knowledge.

He will, particularly in eugenic matters, lean heavily to pessimism, for his judgement will be warped by constant contact with hard cases, uncorrected by an equal contact with the normal. This tendency to pessimism is notable in certain professions to-day. Their material is not a true cross-section of

society, as is the material of the priest, and the consolations of Divine Grace are outside their orbit.

These characteristics need not be elaborated. They appear to be self-evident. The tendency of societies of experts to coalesce into close and jealous corporations is perhaps less necessary and permanent, but is very strong in our own time. In medicine, it need not be stressed here, but every body of experts is going outside its province. By what right, for instance, does an Annual Conference of the Sanitary Institute discuss the need for Sterilisation? Teachers are not perhaps a true case in point, but they illustrate the tendency very aptly. They will have no "Tests." The refusal is not merely wrong, but brutally wrong-headed, for they have no rights of their own as teachers. They are in any case *delegates*, if not of the parents, at least of the State.

The present position of the expert in England is anomalous, and is in active process of being transformed into a definite rule. The official experts permit themselves astonishing liberties in dictating policy and in propagating their individual views in public. The Civil Service is often described as a bureaucracy. Any Civil Servant who took the liberties in bullying public opinion which are commonplaces of state-salaried expert circles would risk dismissal. As a phenomenon this is disquieting. As a portent

of future eugenic action it is perhaps conclusive.[1]

It is also unnecessary to emphasise the seamy side of expert rule. These things will happen with honest and upright experts. A very little insincerity and crookedness would turn a social purgatory into a social hell. No man is to be trusted with irresponsible power. The ruling expert is irresponsible, and his power unthinkably great. In the modern world, Catholics would not be the last to feel "The New Despotism."

[1] The case has since been proved. A Representative Meeting of the British Medical Association on July 21st, 1930, is reported by the Press to have "passed almost unanimously" the following Resolution: "A Medical Officer in any Maternity or Child-Welfare Clinic, voluntary or Municipal, equally with any other medical practitioner, has the right to advise either for or against the use of contraceptive methods in accordance with his individual judgment and responsibility, and should not be subject to dictation by the patient or by the doctor's employing authority in the matter."

Contraception is a moral and not a medical question, and the attitude is negatively justifiable as safeguarding the conscience of the Medical Official. Positively it is monstrous. It means that a medical functionary, paid out of Public Funds, should be entitled not only to give contraceptive advice in defiance of the instructions of the Public Authority, but that he is entitled to insist on giving such advice against the wishes of the patient. The medical expert is to override his employer and his patient, and he is to do so in the sphere of morals as well as medicine. In the circumstances, the strictures on the Rule of the Expert given in the text appear to err on the side of moderation.

CHAPTER VI

SEEK YE FIRST . . .

"We hold these things to be self-evident, that all men are created equal: that they are endowed by their Creator with certain inalienable rights, that among these are life, liberty and the pursuit of happiness."

I. The Declaration of Independence is one of the most Catholic of documents. Its axioms admit of no exceptions. Unless a man puts himself outside the pale, not by what he is, but by what he does, he is entitled to the full protection of those axioms of civilised living.

"Servitude," says S. Thomas, "is a hindrance to the good use of power" (I–II, Q. ii, art. 4), and the principle is essential to Catholic philosophy. The general principle has been set forth admirably in modern language by Fr. E. R. Hull, S.J. "The instincts of self-preservation and self-development are not merely instincts, but are the embodiment of rights—not because an instinct necessarily carries with it a right, but because the life of each individual and his powers are both gifts of God and remain under his supreme mastership; so that any

encroachment upon them is an encroachment on the dominion of God, and thus an outrage on the rights of him from whom all rights of creatures are derived, and therefore I am bound to respect the life and liberty of my fellow-man, as being reductively part of my duty to God." (*Why should I be Moral?* p. 91.)

The primary human rights are therefore absolute, and do not depend, so far as the community is concerned, on whether human powers are used, neglected or abused, save in so far as a man may trespass on the equal rights of other men. Equality is necessary to Catholic philosophy.

We have hitherto, in this discussion, tended necessarily to consider the eugenic principle in relation to its inability to prove its case. It is desirable to afford here some brief indication of the Catholic attitude independently of that restriction, although, as was said earlier, this is matter rather for our descendants.

Eugenics is the philosophy of efficiency. Energy is stated by Galton to be the attribute of the higher race (pp. 17–18). Catholicism, on the contrary, is the philosophy of happiness. Happiness is the last end of man. Is energy or efficiency necessary to happiness, is there any necessary connection between them? S. Thomas, in the Question already quoted, replies conclusively:

"It is impossible for happiness to consist in power, and this for two reasons. First because power has the nature of principle,

as stated in Metaphysics V. Secondly, because power has relation to good and evil: whereas happiness is man's proper and perfect good."

Moreover, eugenics cannot operate without restricting life, liberty and the pursuit of happiness, for "repression" and "elimination" of the innocent are of its very essence.

We may conclude that the right to happiness is independent of the possibility that eugenics may prove its assumptions, because greater evils would accrue to society by this clumsy crowbar thrust into the Mills of God, than would accrue from the propagation of "Inferior" types of man.

II. It will, I think, have been clear from many of the quotations scattered about in this book, that eugenics has no faith in God, and therefore no faith in the nature of things. But for Catholics, in any case, biological considerations are irrelevant against moral and social considerations, since on the former none hath known the mind of the Lord, and on the latter we have the principles of revelation. The directors of the modern mind, and eugenists in particular, have demonstrated in a hundred ways that they have no notion of the infinite personal value of a human soul, or of the inalienable rights of the family. They think in the lump, in terms of mass production. They see men as trees walking. It means nothing to them if they prevent four normal lives in order to forestall the existence of a fifth. It appears

to follow that they will regard all social amelioration as harmful unless it is accompanied by control of life and liberty. This is incompatible with Catholic philosophy.

III. There is no definition on eugenics, it has not been in existence long enough to deserve one. The arguments against it are largely matters of inference from Catholic axiom and principle. But for the reasons given the presumption is against it, and it may be suggested that it is all the more dangerous to make concessions. We must make good the outworks as well as the citadel, and the first Catholic who denies human equality, and the implications of human equality, has thrown wide the gates.

IV. Eugenics outflanks the whole Catholic position by making it superfluous. It is a fundamental assumption of eugenics that failing artificial control of human reproduction, the human race will degenerate.

It is as certain, on Catholic principle, as anything can be without a special definition, that this assumption is incapable of being reconciled with the mind of the Church. For conversely, the whole weight of Distributive and Commutative Justice will be useless and harmful unless coupled with a thing which Catholic philosophy has not entertained. Do we deny our past so easily?

I am willing to believe that the modern developments within Industrialism make it a matter of some difficulty to propound and apply the traditional safeguards of liberty.

For a Catholic at least, that is an excellent reason for vigorous action to bring society into better accord with the postulates of freedom. I cannot concede that it is any reason for making further terms with an encroaching enemy.

V. It would be out of place, in a work of this kind, to devote much space to elaborating the principles of Catholic Social action, but their main elements may be indicated briefly.

The problem is one. All modern evils, including that of eugenics, have one remedy —The Kingdom of God and his Justice. "The Catholic Church, that imperishable handiwork of our All-Merciful God, has for her immediate and natural purpose the saving of souls and securing our happiness in heaven. Yet in regard to things temporal she is the source of benefits as manifold and great as if the chief end of her existence were to ensure the prospering of our earthly life."[1]

She has held up, as achieving that prosperity, a small number of social principles of which it would be at least imprudent to doubt the entire efficacy. The most important of them may be given here.

1. The dignity and independence of the family, including its economic independence.
2. The wide diffusion of property.
3. The Just Price.
4. The Prohibition of Usury.

[1] Leo XIII, *Immortale Dei.*

There is not one of these principles which is not neglected, scouted or attacked by the modern world.

Need we look further for the cause of the growth of problems, including the problem of the decay of mankind ?

The abeyance of reality, which is one of the most dreadful symptoms of modern life, has never been more dreadfully shown than in the current acceptance of eugenics. "A remedy must be found, and found quickly." We have it ready to hand, without seeking and worshipping these strange gods.

CHAPTER VII

CONCLUSIONS

THE main conclusions, the material for which has had to be dispersed throughout the previous pages, may be briefly summarised here.

1. Eugenics is of purely modern origin.

It consists in the proposition that human maintenance and betterment are primarily dependent on the manipulation of hereditary characteristics, and it excludes any environmental action except in so far as it may favour selected stocks. Its success depends on the coercive action of the State.

2. Scientifically, it stands or falls by the ability to forecast with certainty the incidence of hereditary qualities and defects. That ability cannot in any case exist for many generations. Biologists do not endorse the eugenist claim. Therefore no general eugenic statement has scientific force.

3. Morally and socially, eugenics cannot be discussed until the first essential of certainty in prediction is present, but eugenics is prepared to act on averages and probabilities. Such grounds are excluded on Catholic principle.

4. Mental Deficiency raises all the eugenic

problems. Its emergence as a State problem coincides with the end of three generations of Industrialism, which were sufficiently severe on the weak to have eliminated them, if Mental Deficiency depended on hereditary transmission.

5. The wide acceptance of the eugenic explanation of Mental Defect was due to its emergence at a moment when the national conscience was uneasy. It lifted the burden of direct responsibility.

6. In view of the persistence, at least in subtilised form, of the strains of Industrialism, no ascription of heredity is valid unless and until the social strains have been eased without effect.

7. The eugenic expedients are: Prohibition of Marriage, Segregation, Sterilisation and the Lethal Chamber.

All are indefensible on eugenic grounds, and three of them on any ground, but in individual cases segregation is allowable as a palliative on grounds of *protection*, assessed not on presumption but on Common Law.

8. The *remedy* for the State Problem of Mental Deficiency is the restoration of Social Justice, enabling the Family to fulfil its functions of maintenance and protection.

9. The eugenic principles and expedients foster the re-introduction of slavery by abandoning the principle of human equality.

10. The current estimates of the extent of "unfitness" are *ex parte*, and cannot be accepted as certain.

11. The Catholic social philosophy assumes the adequacy of social justice to forestall future decline. To deny this is to deny the Providence of God. Eugenics does deny it, and the two systems are therefore incompatible.

12. The attempt to popularise personal adherence to the postulates of eugenics is inadmissible, since it accepts the principle of war on the weak, and gives occasions of despair on problematical premises. It seems at present to involve scandal. The only place for the study of heredity is the seclusion of the study.

13. Eugenics involves, necessarily and always, the despotic Rule of the Expert in civil society. This is inadmissible on Catholic principles.

14. Human equality is necessary to Catholic philosophy. Any system which denies it is to be condemned.

15. The remedy for "social unfitness" is the Catholic social teaching. Its chief elements are:

The dignity and independence of the family.

The wide diffusion of property.

The Just Price.

The Prohibition of Usury.

They are rejected by the modern world, but there is no reason to suppose that their acceptance would not be a complete solution of "eugenic problems."

. . . . .

I have endeavoured in these pages to refrain from imputing motives, except in so far as was justified by direct evidence. I once described eugenics as a cheap substitute for social justice. It is not a phrase which I regret. But if I may be allowed to conclude with a personal opinion, it is that whatever sincerity there may be in the eugenic movement—and I agree that there is much—there are behind it minds which do not value human betterment. They value Power. They do not want the best world, but *their* sort of world. Almighty God has left to mankind the enormous gift of a Free Will. It is perhaps a mark of Anti-Christ that he will seek more power than God. He may attempt it by enslaving the wills of men.

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